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HUMAN RIGHTS COMMISSION CONCLUDES DISCUSSION

ON ADVISORY SERVICES, MIGRANT WORKERS

Special Rapporteur Introduced Report On Draft Declaration for Human Rights Defenders

GENEVA, 3 March (UN Information Service) -- The Chairman-Rapporteur of the Working Group drafting a Declaration on the right of individuals and groups to protect and promote human rights, Ronald A. Walker (Australia), said the deliberations of the Group at its last session had been intense. And the text reflected the central ground of disagreement -- namely, the definition of the responsibilities of individuals towards the community of which they formed part or within which they found themselves.

The delegation of the United States made a statement concerning the draft Declaration.

In the debate on advisory services in the human rights field, which concluded this morning, representatives of the Latin American Federation of Associations of Relatives of Disappeared Detainees made a statement.

Participating in the continuing debate on the human rights of migrant workers were the delegations of Turkey, Mexico and Mauritania. The following non-governmental organizations also took part: World Confederation of Labour, the World Council of Churches' Commission on International Affairs, Movement Against Racism and for Friendship Among Peoples, World Association for World Federation, International Indian Treaty Council, International Federation for the Protection of the Rights of Ethnic, Religious, Linguistic and other Minorities, International Confederation of Free Trade Unions and Third World Movement against the Exploitation of Women.

Morocco exercised its right of reply.

Draft Declaration Relating to Promotion of Human Rights

The Chairman of the Group, RONALD A. WALKER (Australia), introduced the report of the Working Group on the drafting of a Declaration on the right and

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responsibility of individuals, groups, and organs of society to promote and protect universally recognized human rights and fundamental freedoms. He said the draft Declaration addressed itself particularly to the case of individuals and groups working to promote and protect human rights -- those who were sometimes known as "human rights defenders".

He went on to say there was a widespread view in the Commission that it had a special responsibility to do everything within its power to seek to extend protection to individuals and groups working for the same objectives as the Commission, in many cases risking and all too often suffering discrimination, mistreatment and even death. The Declaration was intended to be in many ways the charter of the human rights defenders.

He said the deliberations of the Working Group had been laborious, as some delegations sought to try to protect not the rights of human rights defenders but the rights of, and individuals' duties towards, the collectivities in which they found themselves, and in some cases the Governments to which they were subject. A number of other issues were also in contention, but this was the central ground of disagreement. As a consequence, the first reading of the text did not result in a "clean" text, free of square brackets.

As Chairman, he had encouraged all delegations to submit in writing their proposals for consideration during the second reading of the text, in 1993, with a view to providing advance notice to other delegations. Several delegations had submitted their proposals, which were reproduced in annex II to the report.

Statement Concerning Advisory Services

MARIA EMILIA GARCIA and LOYOLA GUZMAN, Observers for the Latin American Federation of Associations of Relatives of Disappeared Detainees (FEDEFAM), said the necessary political will did not exist in Guatemala to end the pain people felt at the scores of disappeared persons and other human rights violations, which were carried out with impunity in Guatemala. Various problems had been raised in the Commission, various promises had been received, but change in Guatemala remained a distant goal. Concerning the question of Haiti, only some minor sectors of the population had not acclaimed the Government of President Aristide. The Dominican Republic had expelled 30,000 Haitians and a campaign of defamation was currently going on against President Aristide. The international community must support the return of the democratically elected Government, to put an end to criteria for discrimination against Haitian refugees and to remain vigilant until democracy had been restored in Haiti.

Statements on Migrant Workers

CLAUDE HELLER (Mexico) said it was imperative for the Commission to study the living conditions of migrant workers. It was necessary to recognize the exceptional situations of such people, who had been forced to go across borders in search of better economic conditions. The plight of migrant

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workers reflected large themes, among them the economic disparity between North and South and the recent governmental changes in Central and Eastern Europe, which had set off massive floods of people across borders for economic reasons. Moreover, migration could be expected to increase in coming years. The phenomenon of migrant workers affected almost every country, and migrant populations were especially vulnerable to human rights abuse because forces of nationalism and xenophobia were increasing.

He said the international Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families was an important document and support for it was needed more than ever. To date, only two countries had signed that charter for protection of migrant workers. Mexico urged other countries to join it in ratifying that document.

BILGE CANKOREL (Turkey) said the migrant workers of Turkish origin or nationality in other countries numbered some 2.5 million. Some of those workers already belonged to the third generation of migrant families. A new challenge in the human rights issues of migrant workers lay in the recent migration pressures from Eastern Europe and the former Soviet Union. New thinking was needed about the situation of migrant workers in Europe. Accordingly, Turkey had mailed a letter to almost 100 non-governmental organizations (NGOs) in November 1991 requesting them to inform it of their efforts towards fighting racism and their potential contribution to the study by the Secretary-General. It had received replies from only two of them.

According to press reports, more than 2,000 racist incidents had occurred in one country alone in 1991, he said. Yet, despite this alarming development, NGOs seemed uninterested in racism against migrant workers. When it looked into the deeper causes of the NGOs' attitude, Turkey had reached some unpleasant conclusions. The NGOs were trying to escape from their own reality, which was the spectre of racism resurfacing after 50 years, by diverting their attention to human rights violations in geographically remote lands.

BEATRICE FAUCHERE, Observer for the World Confederation of Labour, said that at the turn of the century, 50 million Europeans had emigrated to North America and Latin America, largely for economic reasons. These migrations were accepted and they helped to stimulate economic growth. But Governments had since forgotten the benefits of migrant labour. It was important that today's migrant populations had fair work conditions and were not exploited. Western European countries were today trying to close their borders, which merely drove the problem underground and made the migrants more vulnerable. They came illegally, they had no protection from the Government and they were preyed on by profiteers. In Belgium, thousands of Asian women had arrived to do domestic labour illegally in the homes of the same people who were complaining about immigrant invasions. Elsewhere, migrants were so desperate that they were sealed in containers in order to cross borders. Many of them died.

She wished to draw special attention, she said, to the conditions of women migrant labourers. They had the most serious human rights problems

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among migrants; they did the most menial, tiring, demeaning and low-paying jobs, and suffered from all sorts of abuse. Migrant domestic workers in the homes of some diplomats in Geneva fell into this category, she stated. The Confederation deplored the lack of attention by countries to the problems of migrants.

PATRICK TARAN, Observer for the World Council of Churches' Commission on International Affairs, said the conditions and discriminatory treatment of migrant workers, refugees, asylum seekers and other peoples on the move had long been a vital humanitarian concern of the Christian churches. The World Council was alarmed by the frightful rise in incidents of hostility and acts of violence against refugees and migrants -- migrants, who were becoming the scapegoats for social and economic ills. It was clear that wherever they occurred, discriminatory actions against migrant workers were most often underpinned by racist attitudes. The Commission, Governments, as well as non-governmental organizations, must speak out clearly and take explicit steps to deter this global trend of increasing violence against migrants.

The Council was becoming increasingly convinced that much international migration today was not voluntary, he stated. The new International Convention was recognized as a necessary establishment of minimum human rights standards. Its prompt ratification by States would provide the necessary extension of protection to this most vulnerable group of people. But the apparent reluctance of Governments created increasing anxiety to sign and ratify it -- even some States which had participated in the drafting process had yet to sign.

JEAN JACQUES KIRKYACHARIAN, Observer for the Movement Against Racism and for Friendship among Peoples, said that, "like it or not", South to North migration was not only continuing but was on the rise. The racist campaigns against migrant workers had used the themes of invasion, occupation, blood and acquired immunodeficiency syndrome (AIDS) to underline their claim that migrants were aliens in their societies. Those not integrated into a society were considered dangerous and thus marginalized. It was sad that racism would not be eliminated for a long while, but in the meantime there should be a counter-offensive to involve the citizens in responsibilities in their towns, neighbourhoods and cities. In Europe, only Portugal and Greece had signed the Convention. The ratification procedure was not even under way in most European parliaments. The 8 million migrant workers called aliens by racists, he said, had to be helped in "Fortress Europe". He urged the Commission to request industrialized countries to adopt the Convention promptly.

DRAGANA MIJJKOVIC, Observer for the World Association for World Federation, said the organization "World Serbian Community" represented a people having a great number of migrant workers. It was very concerned with strict observation of the Convention on the Protection of the Rights of All Migrant Workers. As a result of the current ethnic conflict in Yugoslavia, a number of discriminatory measures had been taken against Serbian migrant workers by certain Governments. By the introduction of visas for Yugoslav and particularly Serbian nationals, family cohesion had been strained. The measures taken by the Swiss Confederation, and the severe criteria for

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obtaining a visa, had seriously handicapped 80,000 relatives of Serbian workers in their travel between their country of origin and their employer country.

In view of the temporary resident status that migrant workers and their families were given, it was important to ensure favourable conditions for their possible return to their country of origin, he said. Complementary schooling for their children should also be guaranteed. The State of Yugoslavia had for that reason opened a large number of schools for its migrant workers, but the recent events had resulted in a blockade of this scholastic system for political reasons in various countries, especially in Germany and Austria.

ROSEANNE OLGUIN (International Indian Treaty Council) said that while the United States pretended to represent the democratic ideal, the conditions for migrant workers in the United States was abhorrent. Recent media exposés revealed a phenomenon reminiscent of eighteenth century slave trade. Workers were abandoned in the heat of the desert, robbed and sometimes left to die. Violations of their human rights -- ranging from arbitrary detention, excessive physical force, summary deportations and repeated violations of the recognized treaty rights of indigenous peoples to cross borders freely and without interference -- occurred at the illegal Mexico-United States border, she went on.

Nowhere did people work so hard for so little, while they performed some of the most hazardous jobs, she continued. It was deplorable that the United States, which had "the best fed people in the world", offered no protection for those who were responsible for putting food on their tables. The estimated rate of unemployment in Mexico was 40 per cent and "many Mexicanos were forced to seek work north of the American iron curtain, where they became economic hostages". The international Indian Treaty Council urged the Commission to adopt a resolution encouraging all countries to fulfil their international obligations regarding migrant workers by ratifying the Convention before the commencement of its forty-ninth Session.

MOHAMMED LEMINE, Observer for Mauritania on behalf of the Arab Maghreb Union, said something had to be done to improve the lot of migrant workers. Racism and xenophobia were problems facing these workers which made the problem of adjustment for them even more difficult. The international community welcomed the new Convention, and yet he noted the number of signatories was small. Greater attention must be given to migrant labourers in their host countries to help them adapt. Moreover, racism, harassment and unfair social pressure against them must cease. Racism was simply a violation of basic human rights. Many of the migrants moved from South to North and had moved on from country to country for decades. The economic prosperity of the North had an insatiable lure for these desperate people. Migrants lived in uniquely precarious situations and must be protected, he said.

ERKIN ALPTEKIN, Observer for the International Federation for the Protection of the Rights of Ethnic, Religious, Linguistic and other Minorities, said the human rights of migrant workers should be an issue of

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special concern to the Commission because of the rising incidence of racism, in particular in European countries, against migrant workers and so-called guest workers. This trend found expression today in the platforms of right-wing political parties throughout Europe. Of particular concern was the position of migrant workers and immigrants of the Islamic faith. The Gulf war and the media reporting on it had created a dangerous prejudice directed indiscriminately at all Muslims, he said. The Commission should also scrutinize other aspects of the rights of migrant workers. The Chinese Government, for example, sent workers abroad to work on ships and do other manual labour, but kept a large portion of these workers' salaries for its own benefit, he stated.

The speaker said he was an Uighur from East Turkestan. In his country, it was the Muslim Uighurs who were the victims of racism and discrimination. Chinese workers who came to their cities and towns treated them as an inferior race. Muslims in Tibet and inner Mongolia suffered the same fate. The Chinese Government's attitude and policies must be held responsible. The Commission should look at Government policies that promoted the movement of workers away from their homes and resulted in human rights violations.

GUY RYDER, Observer for the International Confederation of Free Trade Unions (ICFTU), said migration questions were appearing with increasing frequency in the international agenda, but not always in the context that trade unions would wish. Continuing widespread poverty and underdevelopment in many parts of the world, together with rapid and difficult transitions, had led to substantially increased migratory pressures which were now widely perceived as a threat in the likely receiving countries. Regrettably, this growing concern had not generally been accompanied by any corresponding commitment to improve the conditions of migrant workers, or to ensure better defence and promotion of their rights. Indeed, the reverse seemed to be the case.

A good starting point, he said, would be a clear recognition of the real causes of migration, primary among them being poverty and the absence of real employment opportunities in the countries of origin. A year ago, at the height of the Gulf crisis, the ICFTU had brought to the attention of the Commission the plight of the hundreds of thousands of migrant workers displaced as a result of the conflict. It was disturbing to see the readiness of the international community to countenance the return of the status quo ante in regard to migrant workers in the Gulf region.

RESCAFLORE DE ASIS, of the Third World Movement against the Exploitation of Women, said migrant women were forced to live in more inhuman conditions than men. There was a need in industrialized and newly developed countries for domestic services. Moreover, she continued, the need for entertainment, rest and recreation and sexual pleasures of the industrial men and technocrats had become more prevalent in these countries, more specifically in Japan, which received about 100,000 women entertainers every year.

One year after the liberation in the Gulf, hundreds of foreign workers, including Filipino, Bangladeshi and Sri Lankan women migrant workers were

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being beaten and raped by their Kuwaiti employers, she said. These examples were "just the tip of the iceberg". What the situation revealed was that more and more women migrant workers all over the world, in varying degrees, suffered from harsh conditions of work, sexual abuse, discrimination and injustice. Her organization urged the members of the Commission, as well as all other States, to ratify the Convention.

MICHAEL L. DAVIS (United States) said that in view of the stature of the Commission, it was surprising that its impact on the daily lives of victims of human rights abuses often paled in comparison to the impact of local and national defenders of human rights, who laboured with far fewer resources and often under very difficult circumstances. Work on the Declaration had progressed very slowly because of the sustained efforts of a very few Governments to delay or even prevent effective action. Many victims of injustice were keenly aware of those human rights advocates who had educated or inspired them. The adoption of the Declaration would have a profound impact on the ability of those advocates to accomplish their task.

He said meaningful action by the Commission to support and protect human rights defenders was necessary and urgent. The ongoing detention of Nobel Peace Prize winner Aung San Suu Kyi in Myanmar was symbolic of the blatant disregard for human rights and the victimization of human rights defenders. The text of the human rights defenders Declaration, as approved at the first reading, should be promptly circulated to Governments for their comments. The Commission should then give the Working Group a specific period for its second reading of the text, so that it could be adopted by the Commission.

Right of Reply

MOHAMMED HOURORO, Observer for Morocco, said he regretted the comments made by the World Confederation of Labour on the so-called activities of Moroccan soldiers in Equatorial Guinea. His country had normal relations with Equatorial Guinea; those relations concentrated largely on health, education and training assistance.

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HUMAN RIGHTS COMMISSION EXPRESSES CONCERN AT SITUATION IN MYANMAR

Takes Action Concerning Cuba, Occupied Kuwait, El Salvador, Romania

GENEVA, 3 March (UN Information Service) -- The Commission on Human Rights this evening expressed its concern at the seriousness of the human rights situation in Myanmar, in particular at the fact that a number of political leaders, including Daw Aung Suu Kyi, remained deprived of their liberty.

It took that action by unanimously approving one of 27 texts adopted tonight, including a strong condemnation of Iraq for failing to ensure humanitarian treatment of prisoners of war and detained civilians and a measure designating a Special Rapporteur on the human rights situation in Cuba.

In addition, the Commission took action on human rights situations in Romania and El Salvador, as well as on various questions referred to it by the Subcommission on Prevention of Discrimination and Protection of Minorities. Other items dealt with included the further promotion of human rights and the rights of minorities.

Action on Resolutions and Decisions

With regard to possible ways and means of facilitating the peaceful and constructive solution of problems involving minorities, the Commission decided to approve the request of the Subcommission on Prevention of Discrimination and Protection of Minorities that the Secretary-General prepare, with the cooperation of the Subcommission's Special Rapporteur, a technical meeting of experts on minorities in 1992.

As for the report of the Working Group on Indigenous Populations, the Commission recommended that the Economic and Social Council authorize the Working Group to meet for 10 working days prior to the forty-fourth session of the Subcommission on Minorities to intensify efforts to complete a draft declaration on indigenous rights. It also requested the Secretary-General to

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transmit the Working Group's report to Governments and all organizations concerned, as soon as possible, for comments and suggestions on the texts annexed to it.

Concerning the question of a draft Optional Protocol to the Convention against Torture, the Commission decided to establish an open-ended intersessional working group in order to elaborate such a text on the basis of a draft proposed by Costa Rica. It recommended that the Economic and Social Council authorize the working group to meet for a period of two weeks prior to the Commission's next session.

Under a resolution on the International Year for the World's Indigenous People (1993), the Commission welcomed the convening from 9 to 11 March of a technical meeting of agencies, regional commissions and other relevant United Nations entities, as well as representatives of States, indigenous people's organizations and other interested groups, to set programme areas, objectives and guidelines for projects to be carried out in connection with the Year.

The Commission proposed that the General Assembly change the title of the International Year to "1993 -- The International Year of the World's Indigenous People". The resolution was adopted without a vote.

With regard to the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery, the Commission appealed for further contributions to the Fund, if possible on a regular basis. It requested the Secretary-General to appoint a Board of Trustees composed of five persons with relevant experience to oversee the fund and to help the Board make the Fund and its humanitarian work better known.

Under a resolution on the report of the Working Group on Contemporary Forms of Slavery, the Commission encouraged the Subcommission on Minorities to elaborate recommendations on the ways and means of establishing an effective mechanism for the implementation of the anti-slavery Conventions on the basis of the study prepared by the Secretary-General. It also requested Governments to pursue a policy of information, prevention and rehabilitation of women victims of the exploitation of prostitution.

On the matter of human rights and disability, the Commission requested the Secretary-General to take the necessary steps to ensure the publication by the United Nations of the final report on that question and make available the appropriate computer diskettes to those organizations that might wish to reproduce the report in Braille, large print or on cassette.

With regard to human rights and youth, the Commission adopted resolution V, submitted by the Subcommission on Minorities, as amended. The Commission thereby recommended that the Economic and Social Council decide to invite the Special Rapporteur, Dimitru Mazilu, to update his report giving special attention to the problems of underdevelopment, unemployment, children in prison and the right to conscientious objection to military service.

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Concerning the fraudulent enrichment of top State officials, the Commission stated its conviction that developed countries had a special responsibility to contribute diligently to the restitution to despoiled peoples of the funds which their leaders had extorted from them, and decided to keep that issue in mind when discussing the question of the realization in all countries of the economic, social and cultural rights proclaimed in the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights. It requested the Secretary-General to draw the present resolution to the attention of the Commission on Crime Prevention and Criminal Justice.

The resolution, draft resolution VIII submitted by the Subcommission, was adopted by a show-of-hands vote of 49 in favour to none against, with 2 abstentions.

After the vote, KATSUMI SEZAKI (Japan) said he was aware of the deleterious effects of the fraudulent enrichment of top State officials in developed countries, but could not accept that those countries had a special responsibility to contribute to the restitution to despoiled peoples of the funds extorted. It was the officials who should be responsible for the restitution of such funds.

PAUL PETERS (Netherlands) said the fact that his delegation had voted in favour of resolution VIII did not mean that it agreed with everything in it. Some of its provisions might be more appropriately dealt with in other forums.

In adopting a draft decision submitted by the Subcommission, on economic and social relations between indigenous peoples and States, the Commission recommended that the Economic and Social Council decide to request United Nations bodies and specialized agencies to ensure their technical assistance was compatible with international instruments and standards applicable to indigenous peoples.

Concerning the ownership and control of the cultural property of indigenous peoples, the Commission decided to recommend that the Council endorse the appointment of Erica-Irene Daes as Special Rapporteur to prepare a study of measures which should be taken by the international community to strengthen respect for the property concerned.

In action on the Working Group on Contemporary Forms of Slavery, the Commission approved the Subcommission's request that the Secretary-General send a representative of the Centre for Human Rights to participate in a Council of Europe seminar on trafficking in persons and prostitution, to be held in Strasbourg from 25 to 27 September. It also recommended that the Secretary-General reassign to the Working Group a full-time Professional staff member of the Centre and designate the Centre as the focal point for United Nations activities for the suppression of contemporary forms of slavery.

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With regard to the study on problems and causes of discrimination against people infected with human immunodeficiency virus (HIV), the Commission endorsed the Subcommission's request to Luis Varela Quiros, Special Rapporteur, to submit his final report at its next session.

Commenting on the texts adopted, JOHN COOK (United States) said the Subcommission had expanded its mandate to include too many issues that were irrelevant to human rights. Too much of the Subcommission's work duplicated work under way elsewhere in the United Nations system. The United States opposed creation of a special rapporteur on ownership of cultural property of indigenous peoples. That was work more properly addressed in the United Nations Educational, Scientific and Cultural Organization (UNESCO). The United States saw official corruption as an important issue but had serious doubts about draft resolution VIII, which tried to paint corruption as a human rights issue, doing so in a tendentious and inaccurate way. The United States dissociated itself from consensus on that resolution because of "many dubious legal characterizations" in the preamble.

On the strengthening of the rule of law, the Commission recognized the need to consider ways and means by which the United Nations system could make a more positive and significant contribution to States' development and strengthening of the rule of law as an essential factor for the promotion and protection of human rights and fundamental freedoms. It requested the Secretary-General of the 1993 World Conference on Human Rights to take the present resolution into account in the preparation of relevant studies and reports.

In a resolution on regional arrangements for the promotion and protection of human rights, the Commission endorsed the efforts of the Centre for Human Rights to enhance cooperation between the United Nations and regional and national institutions, and stressed the importance of the programme of advisory services in the field of human rights. It also renewed its appeal to all Governments to consider making use of the possibilities offered by the United Nations under that programme in organizing information and training courses for Government personnel.

With respect to the strengthening of the Centre for Human Rights, the Commission emphasized that, in implementing the budget for the biennium 1992-1993, adequate staffing, temporary assistance and other resources should be allocated to the Centre to enable it to respond to its increasing workload, including the preparations for and holding of the 1993 World Conference on Human Rights. It also requested the Secretary-General to take human rights concerns and the Centre's needs into account when preparing the budget outline for the biennium 1994-1995.

Concerning national institutions for the promotion and protection of human rights, the Commission reaffirmed the importance of developing effective institutions for the promotion and protection of human rights and of ensuring their independence and pluralism. It also welcomed the guidance provided in the report of the International Workshop on National Institutions for the Promotion and Protection of Human Rights, particularly the principles relating

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to the status of commissions and their advisory role. The Commission decided to transmit those principles to the General Assembly, through the Economic and Social Council.

As for the establishment of an emergency mechanism to enable the United Nations to react appropriately and immediately to acute situations arising from gross violations of human rights, the Commission decided to resume consideration of the matter at its next session in order to enable member States to consider the matter carefully.

Under the proposed mechanism, which was amended to the draft resolution, the Secretary-General would be authorized, upon written request of any Member State concerning an acute situation arising from a gross human rights violations in another country, to ask the Government of the country concerned to submit its views on the incident within one week.

The written request, together with the Government's comments, would then be forwarded by the Secretary-General to Commission members in order to seek their views, within one week, on whether the emergency mechanism should be set in motion. If a majority of the members agreed, the Secretary-General would invite the officers of the Commission to establish a group of five experts to collect information from all appropriate sources and produce a report on the situation.

The report would be submitted to the Government concerned for comments and information on any action it had taken or intended to take. The report, together with the information submitted by the State concerned, would also be forwarded immediately to all United Nations Members for their consideration, as well as to the Commission's relevant thematic rapporteurs and working groups. The Secretary-General would then contact Commission members and, if a majority agreed, an exceptional meeting of the Commission would be convened. If members did not agree to the holding of an exceptional meeting, the report would be submitted to the General Assembly or the next regular session of the Commission, whichever occurred first.

After the decision, CLAUDE HELLER (Mexico) said his delegation joined the consensus on the resolution but that it did not completely agree with the description of the plan contained in the annex.

RAUL ROA KOURI (Cuba) said the description that appeared in the annex was not entirely acceptable to the delegation, but Cuba would like to join the consensus on the resolution as amended.

In action on discrimination against people infected with AIDS, the Commission called upon States to take all the necessary steps to ensure the full enjoyment of civil, political, economic, social and cultural rights by people with those infections, their families and associates, and people presumed to be at risk of infection, paying particular attention to women, children and other vulnerable groups. It also invited the Human Rights Committee and other similar bodies to give full attention to monitoring States parties' compliance with their commitments.

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Concerning civil defence forces, the Commission requested the Secretary-General to ask Governments, intergovernmental and non-governmental organizations for information on domestic law and practice relating to civil defence forces, if any, and for comments concerning the relationship between civil defence forces and human rights.

Before the Commission took up a text on human rights in Myanmar, U TIN KYAW HLAING, observer for Myanmar, said the draft resolution on Myanmar was totally unacceptable, lopsided, negative, and highly intrusive. It contained provisions which were based on unsubstantiated and politically motivated allegations emanating mainly from "unsavoury anti-Government and anti-people elements". The draft totally ignored the recommendation of the Working Group on Situations. Myanmar and Bangladesh authorities had bilateral discussions on the cross-border immigration question and it was a matter for the two States concerned to find ways and means to resolve the issue.

The Myanmar Government had willingly welcomed the visits to Myanmar of two Independent Experts, he added. Not a word had been inserted in the draft resolution reflecting that cooperation. The State Law and Order Restoration Council had set forth a comprehensive programme on the political and constitutional process with a view to establishing a multi-party democratic State in Myanmar. Certain individuals had been put under restraint, not for their political activities, but for breaking the law. Action was taken in the larger interest of the State and for the sole purpose of upholding the rule of law and preserving public order and tranquility. The draft resolution was a blatant attempt to interfere in the internal affairs of Myanmar.

By the resolution on the situation of human rights in Myanmar, the Commission deplored the fact the Government, despite the assurances given at various times that it would take firm steps towards the establishment of a democratic State, had not yet fulfilled those commitments. The Commission expressed its concern at the seriousness of the human rights situation in Myanmar and, in particular, at the fact that a number of political leaders, including Daw Aung San Suu Kyi and other leaders of the National League for Democracy, remained deprived of their liberty.

It decided to nominate a Special Rapporteur for the purpose of establishing direct contacts with the Government and people of Myanmar, including political leaders deprived of their liberty, their families and lawyers, with a view to examining the situation of human rights in the country and following any progress made towards the transfer of power to a civilian Government and the drafting of a new Constitution, the lifting of restrictions on personal freedoms and the restoration of human rights.

As to cooperation with representatives of United Nations human rights bodies, the Commission urged Governments to refrain from all acts of intimidation or reprisal against those who sought to cooperate or who had cooperated with representatives of United Nations human rights bodies, or who had provided testimony or information to them; those who availed or had availed themselves of procedures established under United Nations auspices for the protection of human rights and fundamental freedoms and all those who had

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provided legal assistance to them for this purpose; those who submitted or had submitted communications under procedures established by human rights instruments; and those who were relatives of victims of human rights violations.

In addition, the Commission requested all representatives of United Nations human rights bodies as well as treaty bodies monitoring the observance of human rights to continue to take urgent steps to help prevent the hampering of access to United Nations human rights procedures in any way.

Concerning the situation of human rights in Kuwait under Iraqi occupation, the Commission expressed its deep concern for Kuwaiti and third-country nationals detained and missing in Iraq and strongly condemned the failure of Iraq to treat all prisoners of war and detained civilians in accordance with the internationally recognized principles of humanitarian law and insisted that it refrain from subjecting them to acts of violence, including ill-treatment, torture and summary execution.

The Commission requested the Government of Iraq to provide full information on all Kuwaiti persons and third-country nationals abducted from Kuwait between 2 August 1990 and 26 February 1991 who might still be detained, and to free these persons without delay, in accordance with its obligations under article 134 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War and its obligations under applicable Security Council resolutions.

An amendment proposed by Iraq that would have had the Commission request the Governments of Iraq, Kuwait and Saudi Arabia to search for the persons still missing and demand that those Governments cooperate fully with the work of international humanitarian organizations, notably the International Committee of the Red Cross (ICRC), was defeated by a roll-call vote of 1 in favour to 28 against, with 20 abstentions.

The resolution as a whole was adopted by a roll-call vote of 47 in favour to 1 against, with 1 abstention. The vote was as follows:

In favour: Angola, Argentina, Australia, Austria, Bangladesh, Brazil, Bulgaria, Burundi, Canada, Chile, China, Colombia, Costa Rica, Cuba, Cyprus, Czechoslovakia, France, Gambia, Germany, Ghana, Hungary, India, Indonesia, Iran, Iraq, Italy, Japan, Kenya, Lesotho, Madagascar, Mexico, Netherlands, Nigeria, Pakistan, Peru, Philippines, Portugal, Russian Federation, Senegal, Somalia, Sri Lanka, Syria, United Kingdom, United States, Uruguay, Venezuela, Yugoslavia and Zambia.

Against: Iraq.

Abstentions: Gabon.

After the vote, MOHAMMED AL-DOURI (Iraq) said the competent Iraqi authorities, in accordance with relevant Security Council resolutions, had been cooperating with the International Committee of the Red Cross (ICRC).

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The Iraqi authorities had returned over 6,000 nationals of Kuwait and nationals of other countries. The 3,594 Kuwaitis still in Iraq had been registered with the ICRC and expressed their desire to return to Kuwait. However, the Kuwaiti authorities had accepted the return of only 468 Kuwaitis. Those who remained were living freely. The Iraqi Government had no information on the Kuwaitis not accounted for. Some might be dead, killed during the aggression carried out against Iraq.

The Government was willing to publish the names of Kuwaiti and Saudi missing persons and it was prepared to organize visits to prisons by representatives of the ICRC so that they could search for missing persons, he went on. This attitude was fully compatible with Security Council resolution 687. Therefore, Iraq was fulfilling its international obligations, contrary to what was asserted in the resolution. That text aimed at perpetrating the economic blockade of Iraq.

SALEM JAHAR AL-SABAH, observer for Kuwait, said the reciprocity requested by Iraq ran counter to the 1949 Geneva Conventions. Kuwait and all other countries involved were abiding by the Conventions and were cooperating with the ICRC. Reciprocity was not the question. The names referred to by Iraq were those of families who had Iraqi origins who had gone back to Iraq before the invasion.

MOHAMMED AL-DOURI (Iraq) said he deeply regretted that his delegation's proposed amendments were not approved. The intent of the amendments was to help the United Nations avoid making a distinction between rich and poor. The Iraqi missing persons were not fortunate enough to have a resolution passed on their behalf and the amendments had been based only on humanitarian consideration. Iraq felt that one missing Iraqi, however poor, deserved the same consideration as one missing Kuwaiti millionaire.

With regard to the situation of human rights in Cuba, the Commission noted that the report on the situation of human rights there prepared by the Special Representative of the Secretary-General was incomplete because he had been unable to meet with the people or the Government of Cuba.

The Commission deplored the decision of the Cuban Government not to permit the Special Representative the opportunity to fulfil his mandate by meeting with the people of Cuba in Cuba and with the Government. It expressed particular concern that the Government, a member of the Commission, had failed to carry out its obligation to cooperate with the human rights body. It also regretted profoundly the numerous uncontested reports of violations of basic human rights and fundamental freedoms described in the report of the Special Representative and expressed particular concern at governmentally organized mob action against human rights activists.

The Commission called upon the Cuban Government to respect universally recognized standards of human rights and fundamental freedoms, to promote their exercise and enjoyment, and to end all such violations, including the detention and imprisonment of those who advocated peaceful change. It requested the Chairman, at the Commission's next session, to designate the

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Special Representative appointed by the Secretary-General as the Commission's Special Rapporteur on the situation of human rights in Cuba.

The resolution was adopted by a roll-call vote of 23 in favour to 1 against, with 21 abstentions. The vote was as follows:

In favour: Argentina, Australia, Austria, Bangladesh, Bulgaria, Canada, Chile, Costa Rica, Czechoslovakia, France, Gambia, Germany, Hungary, Italy, Japan, Netherlands, Portugal, Russian Federation, Senegal, Tunisia, United Kingdom, United States and Uruguay.

Against: Angola, China, Cuba, Ghana, Iran, Iraq, Libya and Syria.

Abstentions: Brazil, Burundi, Colombia, Cyprus, Gabon, India, Indonesia, Kenya, Lesotho, Madagascar, Mauritania, Mexico, Nigeria, Pakistan, Peru, Philippines, Somalia, Sri Lanka, Venezuela, Yugoslavia and Zambia.

After the vote, RAUL ROA KOURI (Cuba) said the hegemonic position taken by the United States as the world's only super-Power had led to pressure resulting in the adoption of an arbitrary resolution adopted by the Commission last year. This year's text had seen the same crude pressure being applied on delegations to obtain yes votes. The Commission had never pronounced itself on the human rights violations against its black and indigenous populations in the United States or on racism in Germany or Britain. He rejected the resolution and all others that singled out Cuba for discriminatory treatment.

As for the situation of human rights in El Salvador, the Commission expressed its satisfaction at the agreements set forth in the Act of New York signed at New York on 31 December 1991, and in the Chapultepec Peace Agreements of 16 January, whereby the armed conflict was ended and the parties undertook to promote the democratization of the country, guarantee unrestricted respect for human rights and help to reunify Salvadorian society.

The Commission urged the Government of El Salvador and the Frente Farabundo Marti para la Liberacion Nacional (FMLN) to abide scrupulously by the agreements reached so that complete and lasting reconciliation might be reached between all members of Salvadorian society as quickly as possible; and it wholeheartedly endorsed the efforts being made by the Secretary-General through the United Nations Observer Mission in El Salvador. The Commission reiterated the need to continue the agrarian reform programme and to carry out other structural reforms permitting effective enjoyment of economic, social and cultural rights; and it expressed its hope that the implementation of the Peace Agreements would prevent the violations of human rights currently occurring in El Salvador. The resolution was adopted without a vote.

Regarding human rights and mass exoduses, the Commission welcomed the establishment by the Administrative Committee on Coordination of the Ad Hoc Working Group on Early Warning Regarding New Flows of Refugees and Displaced Persons.

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With respect to the situation of human rights in Romania, the Commission took note of the fact that respect for human rights in general continued to improve in Romania, although considerable shortcomings remained to be overcome as regards the practical application of the new constitutional and legislative rules, the independent and impartial functioning of the justice system and the minority problem, among other things.

The Commission urged the Government and authorities of Romania to continue their efforts to ensure respect for human rights in all their aspects in the country, and expressed appreciation for the Government's positive attitude and its declared readiness to continue to cooperate with the Commission on Human Rights.

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United Nations

Press Release

Department of Public Information • News Coverage Service • New York

HR/CN/344
4 March 1992

HUMAN RIGHTS COMMISSION TO CONSIDER MYANMAR SITUATION IN PUBLIC SESSION

GENEVA, 4 March (UN Information Service) -- The situation of human rights in Myanmar will be discussed from now on in open session, the Commission on Human Rights announced this morning following a brief closed meeting held to review situations that appear to reveal a pattern of gross human rights violations.

The Commission also continued its consideration of an early draft of a Declaration on the right of individuals and groups to promote and protect human rights. Participating in the discussion was the observer from Turkey. The representatives of the International Fellowship of Reconciliation and the African Association of Education for Development, non-governmental organizations, also spoke.

Statements in Debate

AYDIN SEZGIN, observer for Turkey, said he attached particular importance to the draft Declaration on the right of individuals and groups in society to protect and promote fundamental human rights. The struggle for human rights had been above all the struggle of the individual against the arbitrary powers of the State. The State was not, however, the exclusive source of threats to rights and freedoms. Threats also came from groups outside the sphere of the State -- terrorists and racist and xenophobic groups were the most important examples.

Fortunately, those were not the only extra-governmental groups, he went on to say. Some others were highly motivated, moral in intention and peaceable. It was in that spirit and conviction that it was the right of individuals and associations to react in peaceable ways against acts and activities committed outside the sphere of the State that Turkey had proposed a paragraph for inclusion in the draft Declaration. The paragraph said that anyone had the right individually and in association with others to oppose by peaceful means acts perpetrated by a State, a group or an individual with a view towards destroying fundamental rights and liberties. Without such a paragraph, it seemed to Turkey that the draft Declaration would be incomplete.

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RENE WADLOW, observer for the International Fellowship of Reconciliation and Human Rights Advocates, welcomed the increased attention given to human rights defenders, who were on the front lines of the non-violent struggle for human dignity and deserved close consideration by the Commission. The situation of human rights defenders was often an indication of the future trends within the society. During the past few days there had been allegations of massacres in Nagorno-Karabakh. There were conflicting reports, however. He called on the parties concerned to permit international human rights non-governmental organizations to conduct a full investigation of the reported allegations.

The latest aggravation of the situation in Nagorno-Karabakh underscored the important role that the international community could assume in the search for a peaceful solution and respect for human rights, he said. He called upon the Commission to consider urgently what had to be done to avert greater violence and how best to carry out the necessary measures for keeping the peace. That crisis was a time of testing for the United Nations system to move in new and creative ways. In 1988, human rights defenders in Nagorno-Karabakh and Armenia had played an increasingly positive and self-disciplined role. As their work had become more effective, there had been repression against them. There was no adequate intergovernmental mechanism to come to their defence.

C.M. EYA NCHAMA, observer for the African Association of Education for Development, said African non-governmental organizations had adopted a resolution on the sanctity of human rights groups. The proliferation of such groups indicated that they met a vital need. No governmental interference with those organizations had to be tolerated. Nor must any laws be passed or kept in force that limited their capacity for organization and action. None the less, that was happening. There was pressure and dramatic opposition -- including assassinations. Members of African human rights groups protested hotly against those crimes in such countries as Chad and Côte d'Ivoire. Such violations were the kind of thing the draft Declaration was meant to resolve. Clearly, international pressure was needed to protect human rights groups. Otherwise, African non-governmental organizations feared future grave violations of the rights of those who campaigned for human rights.

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United Nations

Press Release

Department of Public Information • News Coverage Service • New York

HR/CN/345
5 March 1992

HUMAN RIGHTS COMMISSION ACTS ON SITUATIONS IN ISRAEL, IRAN,
ALBANIA, AFGHANISTAN, EAST TIMOR

Also Approves Texts on Rights Promotion, Subcommittee, Minorities

GENEVA, 4 March (UN Information Service) -- The Commission on Human Rights this evening expressed deep concern at continuing reports of human rights violations in Iran and condemned the continued Israeli violations in southern Lebanon.

Those decisions came as the main United Nations human rights organ met to complete the substantive work of its forty-eighth session. By other texts adopted this evening, the Commission called upon the Government of Albania to continue to adopt measures to meet the requirements of the International Bill of Human Rights, and it urged all parties concerned to increase their efforts to achieve a comprehensive political solution in Afghanistan.

The Commission also decided to take no action on a draft resolution entitled "Situation in China/Tibet". Regarding East Timor, the Chairman read out a statement, agreed to by consensus, in which the Commission noted with serious concern the human rights situation in the island and deeply deplored the violent incident in Dili on 12 November of last year. The Commission welcomed the early action of the Indonesian Government regarding the incident.

Action was also taken by the Commission on how to further promote and encourage human rights, the rights of the Roma (Gypsies) and the methods of work of the Subcommittee on Prevention of Discrimination and Protection of Minorities.

Action on Resolutions, Decisions

In a resolution on the protection of Roma (Gypsies), the Commission requested the Special Rapporteur of the Subcommittee on Prevention of Discrimination and Protection of Minorities charged with preparing a study on how to facilitate the peaceful, constructive solution of minorities' problems

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to give special attention to provide information on the specific conditions in which the Roma lived; and invited States to adopt all appropriate measures to eliminate any form of discrimination against the Roma.

That resolution, as amended, was adopted by a show-of-hands vote of 43 in favour to none against, with 8 abstentions.

U. ROSENGARTEN (Germany) said his delegation had abstained and referred to a statement it had made earlier, to the effect that there had been a lack of time for discussion. The text remained unsatisfactory because it focused selectively on the Roma, and Germany did not consider the Roma to be a minority in Germany. Positive discrimination on behalf of the Roma was not acceptable.

AHMAD FATHI MASRI (Syria) moved to adjourn consideration of the draft on the work of the Subcommission until the next session so that Governments could study the question in greater depth. The delegations of Germany and Portugal opposed the motion, which went on to be rejected by a vote of 2 in favour to 28 against, with 15 abstentions.

ZHANG YISHAN (China) said the Subcommission should follow the resolution on its mandate, adopted by the Commission in 1991. The resolution just adopted contained elements which ran counter to the original intentions of the previous resolutions.

Concerning the work of the Subcommission on Prevention of Discrimination and Protection of Minorities, the Commission took note of the steps taken so far by the Subcommission to streamline its work and encouraged it to finalize its discussions on the best way to improve the efficiency of the debate, attaching high priority to those efforts. It further endorsed the establishment of an intersessional working group by the Subcommission on the rationalization of its work and agenda. The resolution as a whole was adopted by a show-of-hands vote of 40 in favour to none against, with 11 abstentions.

PRAKASH SHAH (India) said that his delegation believed that the report on which the draft resolution on internally displaced persons was based prejudged the future study of that issue. The next series of studies should be based on ascertaining the views of member States on that subject. The report of the Secretary-General was based on the views of only 12 States. There was no need to take the mandate away from the Secretary-General and give it to an independent expert. India would have preferred the establishment of a working group based on geographical distribution, and that consideration of the draft be deferred.

Consideration of the draft was deferred.

BAGHER ASSADI (Iran) said the resolution on Iran represented a major departure from previous resolutions of the Commission and of the Security Council on his country. That departure was without reason. Iran had already stated its willingness to cooperate with the Special Rapporteur in the future. Iran looked forward to a depoliticized United Nations. It was clear

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that extraneous political influences had resulted in this unfortunate resolution, he continued. The sponsors had failed to arrive at a consensus text due to their unwillingness to reach that objective. The draft was filled with false statements, and Iran would vote against it.

MARTA SANTOS PAIS (Portugal) said the text was clearly based on the report of the Special Representative. At a very late stage, the Iranian delegation had expressed the wish to enter into negotiations regarding the draft. It had not been possible, however, for the sponsors to accommodate its views.

On the situation of human rights in Iran, the Commission expressed its deep concern at continuing reports of violations of human rights in that country. The Commission was specifically concerned over the main weaknesses, according to the Special Representative, of the human rights situation in Iran, namely: the absence of guarantees of due process of law, discriminatory treatment of certain groups of citizens for reason of their religious beliefs, notably the Baha'is, the lack of independent associations, and the absence of a climate of legal security and guarantees for the freedom of expression and literary and artistic creativity. It expressed its grave concern at the fact that, contrary to the Special Representative's recommendation, the application of the death penalty had not diminished, but increased.

The Commission nevertheless welcomed the fact that the Government of Iran had permitted the Special Representative to visit the country and had continued to reply to allegations of human rights violations transmitted to it by him. It also endorsed the view of the Special Representative that the international monitoring of the human rights situation in Iran should be continued.

The mandate of the Special Representative was extended for a further year.

The draft resolution was adopted by a roll-call vote of 22 in favour to 12 against, with 15 abstentions. The vote was as follows:

In favour: Australia, Austria, Brazil, Canada, Chile, Costa Rica, Czechoslovakia, France, Germany, Hungary, Iraq, Italy, Japan, Mexico, Netherlands, Peru, Portugal, Russian Federation, Tunisia, United Kingdom, United States, Venezuela.

Against: Bangladesh, China, Cuba, Gambia, Ghana, Indonesia, Iran, Libya, Pakistan, Philippines, Somalia, Syria.

Abstentions: Colombia, Cyprus, Gabon, India, Kenya, Lesotho, Madagascar, Mauritania, Nigeria, Senegal, Sri Lanka, Uruguay, Yugoslavia, Zambia.

Question of Tibet

A motion to consider immediately a draft resolution on the situation in China/Tibet was carried by a show-of-hands vote of 45 in favour to 3 against, with 1 abstention.

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FAN GUOXIANG (China) said he opposed the draft resolution because it was not formulated out of a general concern for human rights. Rather, it showed support for those who would fabricate a separatist movement for Tibetans. The title had been changed, but the suggestion remained in the resolution that Tibet was a separate country. Those separatists were the true authors of the draft resolution. It was well known that no resolution had been passed in the United Nations since 1971 on this matter as claimed in the draft resolution's preamble. Previous resolutions referring to Tibet were null and void as they had been passed before China had taken its legitimate seat at the United Nations. The Subcommission text mentioned in the draft was based on lies and trumped-up information from non-governmental organizations.

The Chinese Government had always devoted itself to the principles of the United Nations and had given full support to Special Rapporteurs and provided information to various United Nations human rights Committees, he went on. The aim of the resolution was to bolster Tibetan separatists in their continuing campaign of slander against the Government of China. China had undertaken monumental efforts to eradicate serfdom and promote human rights in Tibet, and those had been distorted. The real aim was to internationalize the issue, which constituted a plot to split Tibet from China.

AHMAD KAMAL (Pakistan) said that since China had taken its seat at the United Nations in 1971, Tibet had been recognized as being a part of China. To his knowledge, no one had challenged that fact. The question of the territorial integrity of States was beyond the competence of the Commission. The name and contents of the draft resolution were unusual and misleading. Any action by the Commission regarding Tibet could only help to encourage and support separatist activities aimed at splitting China. China had been cooperating with the United Nations, and had also been maintaining a dialogue concerning the protection of human rights. The efforts of China should be supported. He proposed no action be taken on the draft.

RAUL ROA KOURI (Cuba) said Tibet had been part of China for many, many centuries. The resolution was a political provocation by those who would impose their world view on other countries. China maintained constructive cooperation with the United Nations over human rights, unlike some of the sponsors of the draft. Cuba thought the text was indicative of the policy of selectivity imposed by rich countries of the North on the South. Countries of the South had to reject such an imposition in a coordinated manner. Cuba supported the suggestion of Pakistan not to take action.

Mr. MASRI (Syria) said it was clear that China was cooperating with the Commission and had spared no effort to carry out any action that would solidify the protection of human rights in the country. The attitude being faced contradicted the mandate of the Commission. He supported the motion for no action on the draft.

KENNETH BLACKWELL (United States) said he strongly opposed the motion to take no action. It was seriously concerned over the human rights situation throughout China, including serious problems in Tibet. The resolution did not question Chinese sovereignty over Tibet. The United States accepted that

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Tibet was part of China, but was concerned over Tibetans who were victims of human rights abuses.

IBRAHIM OMAR (Libya) said there was puzzlement about the title of the draft, and the draft itself was misleading. It was not difficult to understand the political motivation behind its introduction. Libya had in the past warned about the politicization of the work of the Commission and about the selectivity of certain countries.

ANA GOMES (Portugal) said the sponsors had no intention of challenging Chinese sovereignty over Tibet. Human rights were abused all over China, but especially in Tibet, where inhabitants had a distinct religious and cultural identity.

A.Y. DEWARAJA (Sri Lanka) said the draft resolution was unjustified. The territorial integrity of China should not be questioned by the Commission. China had cooperated with the United Nations regarding the protection of human rights and had upheld its obligations to the various United Nations instrument-based bodies. Sri Lanka supported the motion to take no action.

MOMODOU KEBBA JALLOW (Gambia) said the resolution failed to address the issue of the relationship between Tibetans and China. He supported the motion of no action.

MOHAMMED LEMINE (Mauritania) said he did not consider it appropriate to act on the resolution.

PAUL PETERS (Netherlands) said he would oppose the suggestion to take no action. The Commission should express itself on the merit of the draft resolution. All members should take a position and live up to their responsibility according to their own assessment.

S. NASSERI (Iran) said this was a draft resolution which attempted to camouflage its intentions behind concern for human rights. Anyone with common knowledge of the contemporary world would be aware of the pressures upon China. Thus, the resolution was a political one and therefore the Commission should not concern itself with it.

J. RHENAN-SEGURA (Costa Rica) said the Commission had the duty to condemn human rights violations wherever they might occur. The Commission could not be selective in its activities. In Tibet, citizens had been deprived of their fundamental human rights. China's policy in Tibet threatened the cultural, religious and ethnic identity of the Tibetan people. Not acting on the draft would be an example of selectivity.

The motion to take no action was carried by a roll-call vote of 27 in favour to 15 against, with 10 abstentions. The vote was as follows:

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In favour: Angola, Bangladesh, Burundi, Chile, China, Cuba, Cyprus, Gambia, Ghana, India, Indonesia, Iran, Iraq, Kenya, Lesotho, Libya, Madagascar, Mauritania, Nigeria, Pakistan, Philippines, Somalia, Sri Lanka, Syria, Tunisia, Yugoslavia, Zambia.

Against: Australia, Austria, Canada, Costa Rica, Czechoslovakia, France, Germany, Hungary, Italy, Japan, Netherlands, Portugal, Russian Federation, United Kingdom, United States.

Abstentions: Argentina, Brazil, Bulgaria, Colombia, Gabon, Mexico, Peru, Senegal, Uruguay, Venezuela.

Action on Human Rights Violations Anywhere

Commission Chairman PAL SOLT (Hungary) announced that the draft resolution on the situation in East Timor had been withdrawn by its sponsors after consultations.

He then made a statement, which the Commission agreed to by consensus. By the statement, the Commission noted with serious concern the human rights situation in East Timor, and strongly deplored the violent incident in Dili on 12 November 1991 which resulted in the loss of lives, injuries of a large number of civilians and many unaccounted for.

The Commission welcomed the early action of the Indonesian Government in setting up a national commission of inquiry and the prompt response which its advance report had elicited from the highest Indonesian authorities. It expressed its hope that, as announced by the Indonesian Government, further investigation into the action of the security personnel on 12 November and into the fate of those unaccounted for would clarify the remaining discrepancies -- namely on the number of people killed and missing.

The statement went on to say the Commission was encouraged by the Indonesian authorities' recent announcement of disciplinary measures and military court proceedings against some members of its armed forces and urged the Government to bring to trial and punish all those found responsible. The Commission called upon the Indonesian authorities to ensure that all civilians arrested were treated humanely, that those brought to trial were assured of proper legal representation and a fair trial, and that those not involved in violent activities were released without delay.

The Commission welcomed the appointment of Amos Wako as Personal Envoy of the Secretary-General to obtain clarification on the events of 12 November 1991 and the willingness of the Indonesian authorities to cooperate fully with him. The Commission encouraged the Secretary-General to continue his good offices for achieving a just, comprehensive and internationally acceptable settlement of the question of East Timor.

Further, the Commission urged the Government of Indonesia to improve the human rights situation in East Timor; commended the report entitled "Visit by the Special Rapporteur to Indonesia and East Timor" of its Special Rapporteur

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on Torture, following his visit at the invitation of the Indonesian Government; urged the Indonesian authorities to take the necessary steps to implement its recommendations and looked forward to a report thereon; and called on the Indonesian Government to facilitate access to East Timor for other humanitarian and human rights organizations.

On the situation of human rights in Afghanistan, the Commission welcomed the cooperation of the Afghan authorities with the Special Rapporteur on the situation of human rights in Afghanistan and with the Coordinator for United Nations Humanitarian and Economic Assistance Programmes relating to Afghanistan, as well as that of such organizations as the specialized agencies, the Office of the United Nations High Commissioner for Refugees and the International Committee of the Red Cross.

The Commission further welcomed the steps undertaken by the Afghan authorities to reform the judicial system in order to make it conform to international standards, and encouraged them to undertake any further steps needed to guarantee fair trials. The draft went on to urge all parties concerned to increase their efforts to achieve a comprehensive political solution -- which they recognized was the only way to bring about peace and the full restoration of human rights in Afghanistan -- based on the points of the Secretary-General's plan of 21 May 1991 on the free exercise of the right to self-determination by the people, including: free and fair elections; the cessation of hostilities and the creation of conditions that would permit the free return of refugees to their homeland in safety and honour, whenever they wished; and the full enjoyment of human rights and fundamental freedoms by all Afghans.

The Commission decided to extend the mandate of the Special Rapporteur for one year and to request him to report to the General Assembly at its next, forty-seventh session, and to the Commission at its forty-ninth session.

Concerning the situation of human rights in Albania, the Commission called upon that Government to continue to adopt legislative and administrative measures to meet the requirements under the International Bill of Human Rights and other relevant international instruments, by which freedom, democracy and the rule of law would be established, and the human rights and fundamental freedoms of all Albanian citizens would be effectively promoted and protected. It also called upon the Government to respect the rights of the minorities living in the country.

The Commission welcomed the conclusion, on 13 February, of the agreement on technical cooperation between the Centre for Human Rights and the Fund for Advisory Services and Technical Assistance in the human rights field, on the one hand, and the Government of Albania, on the other.

RAPHAEL WALDEN, observer for Israel, said that the draft resolution called "Situation of human rights in southern Lebanon" was identical to last year's resolution on the topic, the only difference being a backhanded reference to the peace process which it said Israel was impeding. Were those who attacked Israel from southern Lebanon, hacking young men to death, not

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impeding the process? he asked. On the other hand, it was encouraging to note waning support for that type of resolution.

Was the right of self-defence not applicable to Israel? He went on to say it was regrettable that draft resolutions such as this one came before the Commission; they did not help the peace process. The Commission continued to demonstrate its detachment from current events in the Middle East.

The observer for Lebanon said that without the Israeli occupation, there would have been no resistance. As long as the land was despoiled, there would certainly be a struggle to liberate it.

Regarding the situation of human rights in southern Lebanon, the Commission condemned the continued Israeli violations of human rights in southern Lebanon, manifested particularly by the arbitrary detention of the civilian population, the destruction of their homes, the confiscation of their property, their expulsion from the occupied areas, the bombardment of villages and civilian areas, and other practices violating human rights.

The Commission called upon Israel to put an immediate end to such practices and to implement Security Council resolutions 425 (1978) and 509 (1982) which require the immediate, total and unconditional withdrawal of Israel from all Lebanese territory and respect for the sovereignty, independence and territorial integrity of Lebanon. It also called upon the Government of Israel to comply with the Geneva Conventions of 1949, specifically the Fourth Geneva Convention, relative to the Protection of Civilian Persons in Time of War.

Israel was further called upon to facilitate the humanitarian mission of the International Committee of the Red Cross and other humanitarian organizations in that region and, in particular, to allow those organizations to visit the detention centres of Khiam and Marjeyoun and to ascertain the conditions of detainees.

The resolution was adopted by a roll-call vote of 49 in favour to 1 against, with 1 abstention. The vote was as follows:

In favour: Angola, Argentina, Australia, Austria, Bangladesh, Brazil, Bulgaria, Burundi, Canada, Chile, China, Colombia, Costa Rica, Cuba, Cyprus, Czechoslovakia, France, Gabon, Gambia, Germany, Ghana, Hungary, India, Indonesia, Iran, Italy, Japan, Kenya, Lesotho, Libya, Madagascar, Mauritania, Mexico, Netherlands, Nigeria, Pakistan, Peru, Philippines, Portugal, Russian Federation, Senegal, Somalia, Sri Lanka, Syria, Tunisia, United Kingdom, Venezuela, Yugoslavia, Zambia.

Against: United States.

Abstentions: Uruguay.

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United Nations

Press Release

Department of Public Information • News Coverage Service • New York

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5 March 1992

HUMAN RIGHTS COMMISSION STRONGLY CONDEMNNS VIOLATIONS BY IRAQI GOVERNMENT

Takes Action on Summary Executions, Sale of Children, Internally Displaced Persons

GENEVA, 5 March (UN Information Service) -- The Commission on Human Rights this morning strongly condemned the human rights violations "of the gravest nature" for which the Government of Iraq was responsible and called on its Special Rapporteur on the subject to develop his recommendation of sending a team of human rights monitors to that country.

The Commission also requested the Secretary-General to designate a representative to study issues related to internally displaced persons, and it extended the mandate of the Special Rapporteur on summary and arbitrary executions for three years.

Concerning children's rights, the Commission adopted, among other things, a Programme of Action to prevent the sale of children, child prostitution and child pornography, and endorsed the conclusions and recommendations of the Special Rapporteur on strengthening preventive strategies to tackle the root causes of those problems.

Action on Draft Resolutions

MOHAMMED AL-DOURI (Iraq) said the draft resolution to be voted upon was the second round of the offensive against his country. Those who quoted the Special Rapporteur, who had received full cooperation while in Iraq, should be aware that it was impossible for the Special Rapporteur to be neutral in the matter since he was from one of the countries which had attacked Iraq. Most of the co-sponsors of the text had attacked Iraq and killed thousands of civilians; they also prevented Iraqi children from enjoying their human rights, by way of an aggressively pursued economic food and drugs blockade.

The objective of the draft resolution was aggression and not humanitarian concern, he said, and its purpose was to worsen an already difficult situation. The information on which the text was based was filled with flagrant errors and exhibited total ignorance of the situation.

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The Kurdistan region was a border area where military activities occurred, he went on. Everybody who had left that region during the Iran-Iraq war had now returned. While cities had been destroyed during the Iran-Iraq war, no Kurdish villages or towns had been destroyed and there had been no policy of organized expulsions. Iraq had moved people because of the danger during the war. The Shi'ites were Arabs and Muslims. Aside from the blockade, Iraqis were living in tranquillity. There were no political prisoners in Iraq. Iraqis and Kurds were brothers. The draft resolution's call for a team of monitors to be sent to Iraq violated his country's sovereignty.

The Commission adopted the resolution on situation of human rights in Iraq by a show-of-hands vote of 35 in favour to 1 against (Iraq), with 16 abstentions. In it, the Commission expressed its strong condemnation of the massive violations of human rights, of the gravest nature, for which the Government of Iraq was responsible, in particular: summary and arbitrary executions; orchestrated mass executions and burials; extrajudicial killings, including political killings, in particular in the northern region of Iraq, in southern Shi'a centres and in the southern marshes. The Commission also condemned the widespread routine practice of systematic torture in its most cruel forms, including the torture of children; enforced or involuntary disappearances, routinely practised arbitrary arrest and detention, including of women and children; and consistent and routine failure to respect due process and the rule of law.

The Commission deplored the fact that the Government of Iraq had failed to comply with the terms of Security Council resolutions 706 (1991) and 712 (1991) and had thereby failed to provide the Iraqi population with access to adequate food and health care. It called upon the Government to release immediately all persons arbitrarily arrested and detained, including Kuwaitis and nationals of other States.

The Commission expressed special alarm at the repressive policies and practices directed against the Kurds, which had resulted in the extermination of a part of that population and which continued to have an impact on the lives of the Iraqi people as a whole. It also strongly deplored the exceptionally grave human rights violations by the Government of Iraq in recent years, which in the Special Rapporteur's view demanded an exceptional response in the form of sending to Iraq a team of human rights monitors.

In a resolution on extrajudicial, summary or arbitrary executions, the Commission strongly condemned, once again, the large number of such executions which continued to take place throughout the world. It appealed urgently to Governments, United Nations bodies and organs, the specialized agencies, intergovernmental and non-governmental organizations to combat and eliminate the phenomenon of extrajudicial, summary or arbitrary executions. It decided on a three-year mandate for the new Special Rapporteur on the subject, while maintaining the annual reporting cycle, in order to enable him to submit further conclusions and recommendations to the Commission.

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Adopted without a vote, as orally amended, was a resolution on the situation of internally displaced persons. In it, the Commission requested the Secretary-General to designate a representative to again seek views and information from all Governments on human rights issues related to internally displaced persons. He was also requested to present a comprehensive study to the Commission at its forty-ninth session identifying existing laws and mechanisms for the protection of the internally displaced, possible additional measures to strengthen implementation of these laws, and mechanisms and alternatives for addressing protection needs not adequately covered by existing instruments.

Also adopted without a vote was a resolution on the Programme of Action for the Prevention of the Sale of Children, Child Prostitution and Child Pornography, the Commission recommended that the Committee on the Rights of the Child bear in mind in Programme of Action studying the reports submitted by States parties to the Convention on the Rights of the Child. It also recommended that the Special Rapporteur on the sale of children considered the Action Programme in developing activities under his mandate.

The Commission decided to submit the draft Programme of Action for the elimination of the exploitation of child labour, to the Subcommission on the Prevention of Discrimination and Protection of Minorities to make the necessary changes, taking into account the views of Governments, specialized agencies and intergovernmental and non-governmental organizations. It requested the Special Rapporteur, given his experience, to consider presenting his comments and suggestions to the Working Group on Contemporary Forms of Slavery, if possible by attending the meeting of the Group.

Adopted without a vote was a resolution on the implementation of the Convention on the Rights of the Child. The Commission expressed its satisfaction at the number of States that had signed, ratified or acceded to the Convention, and urged all other States to do so as a matter of priority.

The Commission welcomed the constructive and useful results achieved by the Committee on the Rights of the Child during its first session and strongly supported the recommendations contained in its report, in particular the organization of the future work of the Committee on the basis of two sessions per year, each of two or three weeks' duration, and the establishment of a pre-sessional working group for a preliminary review of reports from States parties.

The Commission also recommended to the Economic and Social Council a draft resolution by which the Council would request the Secretary-General to make the necessary resources available, within the overall existing budget framework, to enable the Working Group of the Whole of the Committee on the Rights of the Child to meet in 1992 subsequent to the second session of the Committee.

In a resolution on the Special Rapporteur on the sale of children, child pornography and child prostitution, adopted without a vote, the Commission endorsed the conclusions and recommendations of the Special Rapporteur

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concerning the strengthening of preventive strategies to tackle the root causes of the sale of children, child prostitution and child pornography. In doing so, the Commission emphasized the importance of ensuring training on children's rights for those who were involved in actions concerning children, in particular the judiciary and law enforcement officials. It drew the attention of interested Governments to the possibilities offered by the United Nations programme of advisory services in the field of human rights. It also decided to extend the mandate of the Special Rapporteur for a further three years, while maintaining the annual reporting cycle, in order to enable him to submit further conclusions and recommendations to the Commission.

The representative of the United States, in an explanation of the vote after the vote, said the Commission was not necessarily the proper forum for discussion of those important issues. The United States also questioned the wisdom of continuing the rapporteurship on the issue.

Explanations of Vote

JOHN CROOK (United States) said his vote last night against the resolution on southern Lebanon was due to his delegation's deep dissatisfaction with the text's repetitive, unhelpful and inflammatory language. He regretted that Israel's legitimate security concern about its northern border had been ignored, pointing out that a five-year-old Israeli girl had been killed recently by rockets fired from southern Lebanon. Such an unhelpful resolution did not contribute to the cause of peace. The United States could not endorse the resolution on summary executions due to the costs it implied.

ZHAN DAODE (China) said that last night's decision on the situation in China/Tibet proved that members of the Commission who upheld justice were in the majority. Others had tried, with veiled political motives, to impose their position on China. The Government would continue its work towards respect for human rights in China and all over the world.

ALIOUNE SENE (Senegal) said he had abstained last night in the vote on the resolution on the human rights situation in Iran because that country had shown goodwill in the pursuit of respect of human rights. Iran had agreed to receive the Special Rapporteur and to cooperate with him. All sides should have shown goodwill to encourage Iran to continue that cooperation.

JORGE RHENAN-SEGURA (Costa Rica) said he had voted in favour of action on the draft resolution on China/Tibet owing to its concern over human rights violation in Tibet. Costa Rica recognized the right to self-determination of the people of Tibet. Political considerations had prevented the issue being dealt with in the Commission yesterday. Tibetans loved peace and their human rights were being violated. Tibetans felt that their call for help from the international community had fallen on deaf ears.

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FELIPE PORTALES (Chile) said he had not been able to support the resolution on China/Tibet because he considered it inappropriate to adopt measures that referred to a specific region of a country. That fell within the internal responsibility of a country and to take such action would set a bad precedent.

MOHAMMAD NABI AMANI (Afghanistan) said his delegation had been meeting with others concerning the resolution on the situation of human rights in his country, which was adopted last night. It was not Afghanistan's plan to break the consensus, but it disagreed with a last-time addition of the tenth preambular paragraph, which substantially altered its meaning. That change altered a plan which had been acceptable to most of the Afghan people.

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United Nations

Press Release

Department of Public Information • News Coverage Service • New York

HR/CN/347
6 March 1992

COMMISSION ON HUMAN RIGHTS EXPRESSES CONCERN OVER HUMAN RIGHTS
IN HAITI, GUATEMALA AND EQUATORIAL GUINEA

Takes Action on Rights of Migrant Workers and Human Rights' Defenders

GENEVA, 5 March (UN Information Service) -- The Commission on Human Rights this afternoon strongly condemned the overthrow of the constitutionally-elected President of Haiti. It also expressed its concern over human rights violations in Guatemala and Equatorial Guinea.

With regard to Guatemala, the Commission recognized the commitment of the Government to guarantee the full enjoyment of human rights, and extended the mandate of the independent expert on the situation in that country. The Commission decided to appoint an independent expert to Equatorial Guinea to report to the forty-ninth session on the human rights situation in that country. The Commission also decided to appoint a special rapporteur to study the human rights situation in Haiti.

This afternoon the Commission also took action relating to the Voluntary Fund for Technical Cooperation in the Field of Human Rights and to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. In addition, it decided to continue consideration at its next session of the question of a draft Declaration on the right and responsibility of individuals and groups in society to protect and promote human rights.

Before adjourning this afternoon's meeting, Commission Chairman Pal Solt (Hungary) proposed a decision concerning the organization of the work of the session. By that text, adopted by consensus, the Commission decided to request the Economic and Social Council to bring forward as much as possible its consideration of draft decisions that emanate from the current session of the Commission and relate to mandates that require the approval of the Council to allow for their timely and effective implementation.

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Action on Resolutions

Regarding the situation of human rights in Haiti (E/CN.4/1992/L.63), the Commission strongly condemned the overthrow of the constitutionally elected President, Jean-Bertrand Aristide, and the use of violence and military coercion and the subsequent deterioration of the human rights situation in that country. It expressed deep concern over the flagrant human rights violations committed under the illegal Government set up following the coup of 29 September 1991, particularly summary executions, arbitrary arrests and detentions, torture, searches without warrant, rape, restrictions on the freedoms of movement, expression, assembly and association, and the repression of popular demonstrations calling for the return of President Aristide.

The Commission expressed its appreciation to the Office of the United Nations High Commissioner for Refugees (UNHCR) for its work in favour of Haitians fleeing the country and invited Member States to continue giving material and financial support to those efforts. It requested the Chairman, following consultations with the Bureau, to appoint a special rapporteur with a mandate to prepare a report on the human rights situation in Haiti. That report would be based on all relevant information, especially that supplied by the Organization of American States (OAS), with a view to submitting an interim report to the General Assembly at its forty-seventh session and a report to the Commission at its forty-ninth session.

With respect to assistance to Guatemala in the field of human rights (E/CN.4/1992/L.65), the Commission recognized the clear commitment of that Government to guarantee the full enjoyment of human rights and fundamental freedoms and encouraged it and the Unidad Revolucionaria Nacional Guatemalteca to continue their negotiations. They were asked to do so in accordance with the programme and procedures established in the Mexico and Queretaro Agreements and to ensure that human rights would be fully enjoyed by concluding a specific agreement as early as possible.

The Commission also expressed its profound concern that serious violations of human rights continued to occur despite the efforts of the Government. It exhorted the Government to carry out and further develop legal and institutional reforms designed to put an end to the violence, and to intensify its efforts to ensure that all its authorities and security forces fully observed human rights and fundamental freedoms.

Furthermore, it invited the Government to give priority to economic and social development programmes and to strengthen programmes for the indigenous population, taking into account their proposals. The Commission requested the Secretary-General to continue to provide the Government of Guatemala with advisory services in human rights and to extend the mandate of the independent expert so that he might continue to examine the human rights situation in Guatemala and provide needed assistance to the Government.

Regarding Equatorial Guinea (E/CN.4/1992/L.71), the Commission deeply deplored the serious deterioration of the human rights situation there. It expressed its serious concern at the persistence of politically motivated

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human rights violations, such as arbitrary arrests and the systematic use of torture and other cruel, inhuman and degrading treatment or punishment of political prisoners. The Commission also expressed its serious concern at the fact that notwithstanding the programme of advisory services offered to the Government, fundamental freedoms were still seriously restricted.

Further, it called on the Government to put an end to the use of military courts for trying ordinary legal offences and to permit the establishment of an independent judiciary; to take all necessary measures to promote harmonious coexistence of the peoples forming the Guinean society; to free all political prisoners and to take, as soon as possible, legislative and administrative measures satisfying the requirements laid down in the International Bill of Human Rights, among other international instruments, providing for the establishment of freedom, democracy and the rule of law.

The Commission also requested its Chairman to appoint a person of recognized international standing in the human rights field as an expert, to make a thorough study of the violations of human rights by the Government and to report to the Commission at its forty-ninth session. It also decided to consider this question under the item "Question of the violation of human rights and fundamental freedoms in any part of the world" unless there was a significant improvement in the human rights situation in Equatorial Guinea.

IBRAHIM OMAR (Libya) said it seemed that his delegation had not been consulted about the draft resolution on Equatorial Guinea, nor had other African nations been consulted. The resolution was not balanced and there were no preambular references to Equatorial Guinea. Moreover, there was no indication that Equatorial Guinea had been consulted for its opinion on this plan of action. The resolution seemed contradictory in that it asked for the appointment of an expert to study the situation while it also asked the Government to make arrangements for visits by the Red Cross.

MARCELO ENGONGA MOTULU, observer for Equatorial Guinea, said a minister of his country had presented the real situation in Equatorial Guinea before the Commission in 1991. His country rejected the report on which the draft was based. The resolution did not reflect the recent substantial changes in Equatorial Guinea.

On the matter of Advisory Services and Voluntary Fund for Technical Cooperation in the Field of Human Rights, the Commission, referring to activities under the regular budget of the United Nations, invited competent United Nations bodies, such as the committees set up under the International Covenants on Human Rights, the Committee on the Elimination of Racial Discrimination, the Committee against Torture and the Committee on the Rights of the Child to make suggestions and proposals for the implementation of advisory services. It encouraged Governments in need of technical assistance in the field of human rights to avail themselves of the advisory services of experts.

The Commission emphasized that the objective of the Voluntary Fund was to provide financial support for international cooperation aimed at strengthening

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national and regional institutions and infrastructures which will have a long-term impact on improved implementation of human rights. It underlined the importance of streamlining working methods and invited the Centre for Human Rights to consider developing model projects for legal protection and the strengthening of an independent judiciary as part of the Fund's core activities.

Concerning the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (E/CN.4/1992/L.60), the Commission urged all Member States to consider signing and ratifying the Convention as a matter of priority, expressing the hope that it would enter into force at an early date. It requested the Secretary-General to provide all assistance necessary for the promotion of the Convention, through the World Public Information Campaign on Human Rights and the programme of advisory services in the human rights field.

As to the question of a draft Declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms, (E/CN.4/1992/L.64), the Commission decided to continue at its forty-ninth session its work on the elaboration of the draft Declaration. It also recommended a draft resolution to the Council that would have it authorize an open-ended working group of the Commission to meet for a two-week period prior to the forty-ninth session, with a view to completing the second reading of the draft Declaration and to submitting the text to that session of the Commission for adoption.

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United Nations

Press Release

Department of Public Information • News Coverage Service • New York

Round-up of Session

HR/CN/348
9 March 1992

HUMAN RIGHTS COMMISSION CONCLUDES FORTY-EIGHTH SESSION

GENEVA, 27 JANUARY - 6 MARCH

Action Includes Decisions on Human Rights Violations by Number of States

GENEVA, 6 March (UN Information Service) -- The Commission on Human Rights concluded this afternoon its six-week session, again devoting the greater part of it to examining the question of human rights violations as they occur anywhere in the world, set out in the report to the Economic and Social Council adopted by the Commission. The Commission went on to take action relating to the human rights situation in Myanmar, Iraq, Cuba, Iran, Israeli-occupied territories, East Timor, South Africa, Haiti and Equatorial Guinea. It also expressed profound concern at the human rights conditions in Guatemala on that question and also took action regarding Albania, Afghanistan, Western Sahara, Cambodia, Sri Lanka and Romania.

This forty-eighth session also witnessed the admission to the main United Nations human rights body of 10 additional members.

At its final meeting today, the Commission elected Volodymyr Boutkevitch (Ukraine) to the Subcommission on Prevention of Discrimination and Protection of Minorities. He became the thirteenth member elected by the Commission to its principal subsidiary body at this session.

After taking note of the draft provisional agenda for its forty-ninth session, the Commission expressed its concern at the seriousness of the human rights situation in Myanmar, in particular at the fact that a number of political leaders, including Daw Sung Suu Kyi, remained deprived of their liberty. It strongly condemned the Government of Iraq for failing to treat all prisoners of war and detained civilians in accordance with internationally-recognized principles of humanitarian law. It also strongly condemned the human rights violations "of the gravest nature" for which that Government was responsible.

With regard to Cuba, the Commission requested that a special rapporteur be designated to study the human rights situation there. The Commission expressed deep concern at continuing reports of human rights violations in

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For information media—not an official record

Iran, and it condemned the continued Israeli human rights violations in southern Lebanon. Regarding East Timor, the Commission noted with serious concern the human rights situation on the island and deeply deplored the violent incident in Dili on 12 November 1991.

While considering the question of the violation of human rights in the occupied Arab territories, the Commission affirmed the right of the Palestinian people to resist the Israeli occupation by all means. It also reaffirmed its support for the call to convene an effective international peace conference and expressed great interest in the current process of negotiations begun in Madrid last year.

Regarding South Africa, the Commission urged the South African authorities to repeal the remaining discriminatory laws and appealed to the international community to pursue a measured and flexible strategy to influence positively the political transition.

The Commission also strongly condemned the overthrow of Haitian President Jean-Bertrand Aristide and requested that a special rapporteur be appointed to prepare a report on human rights in that country. The appointment of an expert was also requested for the human rights situation in Equatorial Guinea; and deeply deplored the deterioration of that situation. Concerning Guatemala, the Commission recognized the clear commitment of the Government to guarantee the full enjoyment of human rights, although it expressed profound concern at the persistence of serious violations. Action was also taken regarding Albania, Afghanistan, Western Sahara, Cambodia and Sri Lanka.

During this session, the Commission continued its work of standard-setting by, among other things, approving the texts of draft Declarations on the rights of persons belonging to minorities and on protection from enforced disappearance. Based on a Costa Rican proposal, the Commission decided, further, to establish a working group charged with elaborating a draft Optional Protocol to the Convention against Torture. The proposal is designed to permit visits to places of detention in order to prevent torture from taking place.

Among the other matters acted on during this session were human rights and the environment; the rights of detainees; human rights and disability; the effects of structural adjustment policies on human rights; the realization of economic, social and cultural rights; religious intolerance; children's rights; summary executions; traditional practices affecting women and children; as well as the safety of United Nations staff members.

In addition, the Commission decided to create a standing team of forensic experts to assist in the exhumation and identification of reported victims of human rights violations. The Commission also decided to consider at its next session the establishment of an emergency mechanism to enable it to respond immediately to mass human rights violations.

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Regarding the 1993 World Conference on Human Rights, the Commission welcomed the willingness of the Italian Government to consider hosting the gathering after Germany indicated that it would not be able to do so as it had originally proposed.

Also, during its confidential study of situations that appear to reveal a consistent pattern of gross human rights violations, the Commission looked at the cases of Bahrain, Myanmar, Syria, Somalia, Sudan, Chad and Zaire. The study of the situation in that last country was postponed, while that of the situation in Syria was completed.

Officers of Commission

In addition to its Chairman, Mr. Solt (Hungary), the officers of the Commission's forty-eighth session were: Vice-Chairmen -- Ronald A. Walker (Australia), Sirous Nasser (Iran) and Mohamed Ennaceur (Tunisia); and Rapporteur -- Ligia Galvis (Colombia).

Membership

The composition of the Commission for 1992 was as follows (with the new members, among them the 10 additional members called for by the Council, underlined):

Angola, Argentina, Australia, Austria, Bangladesh, Barbados, Brazil, Bulgaria, Burundi, Canada, Chile, China, Colombia, Costa Rica, Cuba, Cyprus, Czechoslovakia, France, Gabon, Gambia, Germany, Ghana, Hungary, India, Indonesia, Iran, Iraq, Italy, Japan, Kenya, Lesotho, Libya, Madagascar, Mauritania, Mexico, Netherlands, Nigeria, Pakistan, Peru, Philippines, Portugal, Russian Federation, Senegal, Somalia, Sri Lanka, Syria, Tunisia, United Kingdom, United States, Uruguay, Venezuela, Yugoslavia and Zambia.

Statements

In his closing remarks, JAN MARTENSON, outgoing Under-Secretary-General for Human Rights, said the world was a much different place than in 1987, when he had assumed responsibility for the Centre for Human Rights. An important ingredient in the changes which had taken place was the recognition of human rights as a crucial element in national and international affairs.

Democracy and respect for human rights were benchmarks for judging national and international decisions today, he went on.

He suggested a three-fold approach to responding effectively to the expectations of the peoples of the world to better standards of life in larger freedom. First, a concerted approach should be adopted by the United Nations to strengthen democratic institutions everywhere in the world. Second, particular attention should be paid to those dangers which had threatened peace and democracy in the past: racism, denials of the rights of minorities, and lack of hope for social and economic progress. Finally, United Nations human rights activities had to be seen to produce tangible results.

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The United Nations had to act effectively to protect democracy, Mr. Martenson said, especially when the United Nations had been instrumental in its establishment; it could not morally stand by and abandon a people to be robbed of its birthright by the force of arms.

He added that the 1993 World Conference on Human Rights would have to come up with a credible response to the dilemma of the Centre for Human Rights -- namely, that of ever-increasing responsibilities and stagnant resources. Democracy could not be promoted without financial resources, nor could torture victims be protected, disappeared persons found, or children be protected from sale or slavery without staff.

ANTOINE BLANCA, Under-Secretary-General for Human Rights, said the Commission had made major progress in recent years and had created great interest in human rights throughout the world. The international community had the possibility of ending the scourge of human rights violations, given recent advances in technology and politics, and it was crucial to do so.

PAL SOLT (Hungary), Chairman of the Commission, said events at this session and the international attention they had attracted were proof that the world was at the dawn of a new era, one in which human rights was one of the main concerns. The United Nations was now capable of reacting more effectively to threats against peace and international security. He hoped this new, prevention-oriented diplomacy would become one of the pillars of the Commission's work.

During this session of the Commission, he said, the world had not been at rest. Each day of the session, sad news had reached the Commission of grave violations of human rights. In that context, he regretted that the Commission had not taken steps to express itself on the subject of continuing hostilities in Nagorno-Karabakh. The whole world joined him in expressing a deep concern at the escalation of the violent conflict in that area, and he called on all the parties to respect humanitarian laws applicable to armed conflict and to allow the civilian population access to humanitarian aid.

In order to help humanity attain maximum freedom and dignity, unending and untiring work was required from all concerned, he concluded.

Human Rights Violations Anywhere in World

With respect to the situation of human rights in Iraq, the Commission expressed its strong condemnation of the massive violations of human rights, of the gravest nature, for which the Government of Iraq was responsible -- in particular: summary and arbitrary executions, orchestrated mass executions and burials, extrajudicial killings including political killings, in particular in the northern region of Iraq, in southern Shi'a centres and in the southern marshes. It also condemned the widespread routine practice of systematic torture in its most cruel forms, including the torture of children; enforced or involuntary disappearances, routinely practised arbitrary arrest and detention including of women and children, consistent and routine failure to respect due process and the rule of law. The Commission also strongly deplored the exceptionally grave human rights violations by the Government of

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Iraq in recent years which, in the Special Rapporteur's view, demanded an exceptional response in the form of sending to Iraq a team of human rights monitors.

Regarding extrajudicial, summary or arbitrary executions, the Commission strongly condemned, once again, the large number of such executions which continued to take place throughout the world. It appealed urgently to Governments, United Nations bodies and organs, the specialized agencies, intergovernmental organizations and non-governmental organization to take effective action to combat and eliminate the phenomenon of extrajudicial, summary or arbitrary executions. It decided, further, that the mandate of the new Special Rapporteur shall be for three years.

Regarding the situation of human rights in Iran, the Commission expressed its deep concern at continuing reports of violations of human rights in that country. Specifically, it was concerned over the main weaknesses, as reported by the Special Representative, of the human rights situation in Iran, as follows: the absence of guarantees of due process of law, discriminatory treatment of certain groups of citizens for reason of their religious beliefs, notably the Baha'is, the lack of independent associations, and the absence of a climate of legal security and guarantees for the freedom of expression and literary and artistic creativity. It expressed its grave concern at the fact that, contrary to the Special Representative's recommendation, the application of the death penalty had not diminished but increased.

The Commission welcomed the fact that the Government of Iran had permitted the Special Representative to visit the country and had continued to reply to allegations of human rights violations transmitted to it by him. It also endorsed the view of the Special Representative that the international monitoring of the human rights situation in Iran should be continued. The mandate of the Special Representative was extended for a further year.

Regarding East Timor, the Commission noted with serious concern the human rights situation on the island and strongly deplored the violent incident in Dili on 12 November 1991 which resulted in the loss of lives as well as injuries of a large number of civilians and in many others being unaccounted for.

The Commission welcomed the early action of the Indonesian Government in setting up a national commission of inquiry and the prompt response which its advance report had elicited from the highest Indonesian authorities. It expressed its hope that, as announced by the Indonesian Government, further investigation into the action of the security personnel on 12 November and into the fate of those unaccounted for would clarify the remaining discrepancies -- namely, on the number of people killed and those missing. The Commission urged the Government of Indonesia to improve the human rights situation in East Timor.

With regard to Sri Lanka, the Commission stated its serious concern over the human rights situation in the country, particularly the large number of

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disappearances, cases of which continued to be reported. It welcomed the Government's decision to invite the Working Group on Enforced or Involuntary Disappearances to visit the country again.

Concerning the situation of human rights in Afghanistan, the Commission welcomed the steps undertaken by the Afghan authorities to reform the judicial system to make it conform to international standards, and encouraged them to undertake any further steps to guarantee fair trials. All parties concerned were urged to increase their efforts to achieve a comprehensive political solution -- which they recognized was the only way to bring about peace and the full restoration of human rights in Afghanistan -- based on the points of the Secretary-General's plan of 21 May 1991. That plan stressed the free exercise of the right to self-determination by the people, including free and fair elections, the cessation of hostilities and the creation of conditions that would permit the free return of refugees to their homeland in safety and honour, whenever they wished, and the full enjoyment of human rights and fundamental freedoms by all Afghans.

The Commission decided to extend the mandate of the Special Rapporteur for one year and to request him to report to the General Assembly at its forty-seventh session in 1992, and to the Commission at its forty-ninth session in 1993.

Concerning the situation of human rights in Albania, the Commission called upon that Government to continue to adopt legislative and administrative measures to meet the requirements under the International Bill of Human Rights and other relevant international instruments, by which freedom, democracy and the rule of law would be established, and the human rights and fundamental freedoms of all Albanian citizens would be effectively promoted and protected. It also called upon the Government to respect the rights belonging to the minorities living in the country.

Regarding the situation of human rights in southern Lebanon, the Commission condemned the continued Israeli violations of human rights in southern Lebanon, manifested particularly by the arbitrary detention of the civilian population, the destruction of their homes, the confiscation of their property, their expulsion from the occupied areas, the bombardment of villages and civilian areas, and other practices violating human rights.

The Commission called upon Israel to put an immediate end to such practices and to implement Security Council resolutions 425 (1978) and 509 (1982) which require the immediate, total and unconditional withdrawal of Israel from all Lebanese territory and respect for the sovereignty, independence and territorial integrity of Lebanon. It also called upon the Government of Israel to comply with the Geneva Convention of 1949, specifically the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War.

With regard to the situation of human rights in Myanmar, the Commission deplored the fact that the Government, despite the assurances given at various times that it would take firm steps towards the establishment of a democratic State, had not to this day fulfilled those commitments. The Commission

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expressed its concern at the seriousness of the human rights situation in Myanmar and, in particular, at the fact that a number of political leaders, including Daw Aung San Suu Kyi and other leaders of the National League for Democracy, remained deprived of their liberty.

The Commission decided to nominate a Special Rapporteur for the purpose of establishing direct contacts with the Government and people of Myanmar, including political leaders deprived of their liberty, and with their families and lawyers, with a view to examining the situation of human rights in the country; and to following any progress made towards the transfer of power to a civilian government and the drafting of a new constitution, the lifting of restrictions on personal freedoms and the restoration of human rights.

With respect to the situation of human rights in Romania, the Commission took note of the fact that respect for human rights in general continued to improve in Romania, although considerable shortcomings remained to be overcome as regarded the practical application of the new constitutional and legislative rules, the independent and impartial functioning of the justice system and the minority problem, among other things.

The Commission urged the Government and authorities of Romania to continue their efforts to ensure respect for human rights in all their aspects in the country, and it took note with appreciation of the positive attitude of the Government and its declared readiness to continue to cooperate with the Commission.

Concerning the situation of human rights in Kuwait under Iraqi occupation, the Commission expressed its deep concern for Kuwaiti and third-country nationals detained and missing in Iraq. And it strongly condemned the failure of Iraq to treat all prisoners of war and detained civilians in accordance with the internationally recognized principles of humanitarian law, insisting that it refrain from subjecting them to acts of violence, including ill-treatment, torture and summary execution.

The Commission requested the Government of Iraq to provide full information on all Kuwaiti persons and third-country nationals abducted from Kuwait between 2 August 1990 and 26 February 1991 who might still be detained, and to free those persons without delay, in accordance with its obligations under article 134 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War and its obligations under applicable Security Council resolutions. This text was adopted by a roll-call vote of 47 in favour to 1 against (Iraq) and 1 abstention (Gabon).

With regard to the situation of human rights in Cuba, the Commission deplored the decision of the Government of Cuba not to permit the Special Representative appointed by the Secretary-General the opportunity to fulfil his mandate by meeting with the people and with the Government of Cuba. It expressed particular concern that the Government, a member of the Commission, had failed to carry out its obligation to cooperate with the human rights body. It also regretted profoundly the numerous uncontested reports of

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violations of basic human rights and fundamental freedoms described in the report of the Special Representative and expressed particular concern at governmentally-organized mob action against human rights activists.

The Commission called upon the Government to respect universally-recognized standards of human rights and fundamental freedoms, to promote their exercise and enjoyment, and to end all such violations, including the detention and imprisonment of those who advocated peaceful change. It requested the Chairman to designate the Special Representative as its Special Rapporteur to review and report on the situation of human rights in Cuba. This resolution was adopted by a roll-call vote of 23 in favour to 8 against (Angola, China, Cuba, Ghana, Iran, Iraq, Libya and Syria), with 21 abstentions.

As for the situation of human rights in El Salvador, the Commission expressed its satisfaction at the agreements set forth in the Act of New York signed at New York on 31 December 1991, and in the Chapultepec Peace Agreements of 16 January 1992, whereby the armed conflict was ended and the parties undertook to promote the democratization of the country, guarantee unrestricted respect for human rights and help to reunify Salvadorian society.

The Commission urged the Government of El Salvador and the Frente Farabundo Marti para la Liberacion Nacional (FMLN) to abide scrupulously by the agreements reached so that complete and lasting reconciliation might be reached between all members of Salvadorian society as quickly as possible; and it wholeheartedly endorsed the efforts being made by the Secretary-General through the United Nations Observer Mission in El Salvador. The Commission reiterated the need to continue the agrarian reform programme and to carry out other structural reforms permitting effective enjoyment of economic, social and cultural rights.

The Commission decided to postpone consideration of the situation in Cyprus until the next session.

Regarding human rights and mass exoduses, the Commission welcomed the establishment by the Administrative Committee on Coordination of the Ad Hoc Working Group on Early Warning regarding New Flows of Refugees and Displaced Persons.

As to cooperation with representatives of United Nations human rights bodies, the Commission urged Governments to refrain from all acts of intimidation or reprisal against those who sought to cooperate or who had cooperated with representatives of United Nations human rights bodies.

Situation in Occupied Arab Territories

With respect to human rights in the occupied Syrian Golan, the Commission strongly condemned Israel for its refusal to comply with the relevant resolutions of the General Assembly and the Security Council, and for its attempt forcibly to impose Israeli citizenship and Israeli identity cards on Syrian citizens in the occupied Syrian Golan. The resolution was adopted by a roll-call vote of 31 in favour to 1 against (United States), with 17 abstentions.

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Concerning the violation of human rights in the occupied Arab territories, including Palestine, the Commission condemned the policies and practices of Israel, which violate the human rights of the Palestinian people in the Palestinian territory occupied by Israel with military force, including Jerusalem, and, in particular, such acts as the opening of fire by the Israeli army and settlers on Palestinian civilians, the imposition of restrictive economic measures, the demolition of houses, collective punishment and arbitrary and administrative detention.

The Commission affirmed the right of the Palestinian people to resist the Israeli occupation by all means, in accordance with the relevant United Nations resolutions and consistent with the purposes and principles of the Charter; called upon Israel to withdraw from the Palestinian territory, including Jerusalem, and other occupied Arab territories. This text was adopted by a roll-call vote of 30 in favour to 16 against (Australia, Bulgaria, Canada, Chile, Costa Rica, Czechoslovakia, France, Germany, Hungary, Italy, Japan, Netherlands, Portugal, Russian Federation, United Kingdom, United States and Uruguay), with 3 abstentions (Argentina, Austria and Chile).

The Commission also strongly condemned once more the refusal of Israel to apply the Fourth Geneva Convention to Palestine and the Arab territories occupied since 1967 and to their inhabitants. Israel was also strongly condemned for its grave violations of article 49 of the Fourth Geneva Convention, for continuing its policy of deporting Palestinian citizens and of expelling them from their homeland as recently happened to 12 Palestinians. This text was adopted by a roll-call vote of 31 in favour to 1 against (United States), with 17 abstentions.

With respect to Israeli settlements in the occupied territories, the Commission, gravely concerned at the large-scale establishment by the Israeli Government of settlers in the occupied territories and taking into account the need to create the stable environment required for progress in the negotiation process following the Middle East Peace Conference in Madrid, reaffirmed that the installation of Israeli civilians in the occupied territories was illegal and constituted a violation of the relevant provisions of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949. The Commission urged the Government of Israel to abstain from installing settlers, including immigrants, in the occupied territories. The resolution was adopted by a show-of-hands vote of 45 in favour to none against, with 1 abstention (United States).

Under a resolution on the situation in occupied Palestine, the Commission reaffirmed its support for the call to convene an effective international peace conference on the Middle East, with the participation of the permanent members of the Security Council and the parties to the Arab-Israeli conflict, including the Palestine Liberation Organization (PLO), under the auspices of the United Nations; expressed its great interest in the current process of negotiations, which began in Madrid, between the parties to the conflict to resolve the problem of Palestine and of the Middle East; and strongly condemned Israel for its continued occupation of the Palestinian territory, which constituted the main obstacle to the exercise by the Palestinian people

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of their national rights. The vote on this text was 31 in favour to 2 against (United States and Uruguay), with 17 abstentions.

Situation in South Africa

With regard to the situation of human rights in South Africa, the Commission urged the South African authorities to repeal the remaining discriminatory apartheid laws and to introduce the necessary measures to correct entrenched socio-economic inequalities. It appealed to the international community to pursue a measured and flexible strategy to influence positively the political transition in South Africa through the phased application of appropriate pressures. And it renewed its request to the South African authorities to allow the Ad Hoc Working Group of Experts on Southern Africa to visit South Africa and to cooperate with it in appraising developments in the situation of human rights in the country.

As for the adverse consequences for the enjoyment of human rights of forms of assistance given to the racist and colonialist regime in South Africa, the Commission condemned the assistance rendered to South Africa in the political, economic, financial, and particularly, military fields; and condemned the continued nuclear collaboration of some States, in particular Israel, with South Africa.

The Commission called upon all Governments to maintain sanctions and all forms of pressure against South Africa until agreement had been reached on transitional arrangements and modalities for the adoption of a new Constitution and the holding of elections; and called upon the South African authorities to allow the Special Rapporteur to visit South Africa with a view to assessing the present situation. This text was approved by a roll-call vote of 35 in favour to 15 against (Australia, Austria, Bulgaria, Canada, Czechoslovakia, France, Germany, Hungary, Italy, Japan, Netherlands, Portugal, Russian Federation, United Kingdom and United States), with 3 abstentions.

The Commission also recommended a draft resolution to the Economic and Social Council for adoption by which the Council would decide to invite the Special Rapporteur to continue to update the list of banks, transnational corporations and other organizations assisting the racist regime of South Africa; call upon all Governments and organizations to maintain sanctions against the regime of South Africa until the total dismantlement of the apartheid system; and request the Secretary-General to bring the updated report of the Special Rapporteur to the attention of Governments whose national financial institutions continued to deal with that regime.

That resolution was adopted by a roll-call vote of 33 in favour to 14 against (Australia, Austria, Bulgaria, Canada, Czechoslovakia, France, Germany, Hungary, Italy, Japan, Netherlands, Portugal, United Kingdom and United States), with 5 abstentions (Argentina, Costa Rica, Madagascar, Russian Federation and Uruguay).

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9 March 1992

Economic, Social and Cultural Rights

With regard to the question of the realization in all countries of economic, social and cultural rights and the special problems which developing countries face in their efforts to achieve these human rights, the Commission invited States parties to consider identifying specific national benchmarks designed to give effect to the minimum core obligations to ensure the satisfaction of minimum essential levels of each of the rights. The Commission also endorsed the Subcommittee's request to its Special Rapporteur on the question to complete his report.

Concerning respect for the right of everyone to own property alone as well as in association with others, the Commission welcomed the preliminary report of the independent expert on the means whereby the right of everyone to own property fostered, strengthened and enhanced the exercise of other fundamental freedoms; and requested the Secretary-General to provide all necessary assistance to the independent expert and to transmit his preliminary report to all Member States and interested organizations. It decided to examine that expert's final report at its forty-ninth session.

Under a resolution on the right to development, the Commission called on the Preparatory Committee for the World Conference on Environment and Development to take fully into account the Declaration on the Right to Development. It invited the Secretary-General to put forward proposals on the effective implementation and promotion of the Declaration to the Commission at its forty-ninth session. This resolution was adopted by a roll-call vote of 48 in favour to 1 against (United States), with 3 abstentions (Germany, Japan, United Kingdom).

Concerning the effects on the full enjoyment of human rights of the economic adjustment policies arising from foreign debt and, in particular, on the implementation of the Declaration on the Right to Development, the Commission invited the Subcommittee to submit the final report of its Special Rapporteur on the subject to the Commission at the next session. That resolution was adopted by a roll-call vote of 43 in favour to 2 against (Japan, United States), with 7 abstentions (Bulgaria, Canada, Czechoslovakia, Germany, Hungary, Netherlands, United Kingdom).

As for human rights and extreme poverty, the Commission drew the attention of the General Assembly, specialized agencies and intergovernmental bodies to the contradiction between the existence of situations of extreme poverty and exclusion from society, on the one hand, and the duty to guarantee full enjoyment of human rights on the other. It also requested the Subcommittee to undertake a study on the question.

Under a resolution on the question of trade union rights, the Commission deeply regretted that violations of those rights continued in many countries. It called on States to involve representative trade union organizations in effective processes of popular participation and development.

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Human Rights of Detainees

Regarding torture and other cruel, inhuman or degrading treatment or punishment: report of the Special Rapporteur, the Commission stressed the recommendation of the Special Rapporteur that each person should have the right to initiate immediately after his arrest proceedings before a court on the lawfulness of his detention, along with other repeated recommendations of the Special Rapporteur. It also decided to extend the mandate of the Special Rapporteur for a further three years and encouraged Governments to give serious consideration to inviting the Special Rapporteur to visit their country so as to enable him to fulfil his mandate even more effectively.

As to the status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Commission stressed the importance of strict adherence by States parties to the obligations under the Convention regarding the financing of the Committee against Torture; urged States parties that had not yet paid their assessed contributions to fulfil their obligations forthwith; and urged all States to become parties to the Convention as a matter of priority.

Concerning the question of a draft Optional Protocol to the Convention against Torture, the Commission decided to establish an open-ended intersessional working group to elaborate a draft Optional Protocol to the Convention against Torture, using as a basis for its discussions the draft text proposed by Costa Rica. It recommended a resolution to the Economic and Social Council for adoption, authorizing the establishment of the intersessional open-ended working group to elaborate the draft Optional Protocol to meet for a period of two weeks prior to the Commission's forty-ninth session.

With regard to the independence and impartiality of the judiciary, jurors and assessors, and the independence of lawyers, the Commission endorsed the decision of the Subcommission to entrust its Special Rapporteur Louis Joinet with the preparation of a report on practices and measures that had served to strengthen or to weaken the independence of the judiciary and the legal profession, as measured against standards set by the United Nations, and recommended the draft decision to the Economic and Social Council.

Concerning the right to a fair trial, the Commission urged Special Rapporteurs Stanislav Chernichenko and William Treat to continue their study with a view to strengthening the implementation of present fair trial standards; and urged them to consider the desirability of incorporating the basic fair trial guarantees into an international standard, such as a model code, for consideration by the Subcommission and the Commission. It also recommended the decision to the Economic and Social Council for adoption.

With regard to the right of habeas corpus, the Commission called on all States that had not yet done so to establish a procedure such as habeas corpus and also called on all States to maintain the right to such a procedure at all times and under all circumstances, including during states of emergency.

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With respect to the right to restitution, compensation and rehabilitation for victims of gross violations of human rights and fundamental freedoms, the Commission endorsed the request by the Subcommittee to Theo van Boven, Special Rapporteur on the subject, to prepare a second progress report containing additional information on and an analysis of relevant decisions and views of international human rights organs as well as on national law and practice.

On the question of human rights and states of emergency, the Commission recommended to the Economic and Social Council the following draft decision:

"The Economic and Social Council endorses the request by the Subcommittee to Leandro Despouy, Special Rapporteur on human rights and states of emergency, to continue to update the list of states of emergencies and to include in his annual report to the Subcommittee and the Commission on Human Rights the completed draft standard provisions on emergency situations, giving special emphasis to the question of non-derogable rights."

With regard to the right to freedom of opinion and expression, the Commission expressed its concern at the extensive occurrence in many parts of the world of detention of or discrimination against persons who exercised the rights to: freedom of opinion and expression, freedom of thought, conscience and religion, peaceful assembly and freedom of association, and the right to take part in the conduct of public affairs. The Commission appealed to all States to ensure that persons seeking to exercise those rights and freedoms were not discriminated against or harassed. By another text, the Commission endorsed the invitation of the Subcommittee to the Special Rapporteurs to submit a report with recommendations to that body's forty-fourth session.

Under a resolution on hostage-taking, the Commission strongly condemned the taking of any person as hostage; demanded that all hostages be released immediately and called upon States to take any measures necessary to prevent and punish the taking of hostages and to put an immediate end to cases of abduction and unlawful restraint on their territory.

Under a resolution on human rights and forensic science, the Commission decided to create, under United Nations auspices, a standing team of forensic experts and experts in other relevant disciplines, to be enrolled on a voluntary basis worldwide, who could be requested by Governments concerned to assist in the exhumation and identification of probable victims of human rights violations or in the training of local teams. It went on to request the Secretary-General, within existing resources, to enter into consultation with appropriate professional organizations with a view to studying the practical and financial viability of such a scheme and to developing workable arrangements for its management.

With regard to staff members of the United Nations and of the specialized agencies in detention, the Commission urged Member States to provide adequate and prompt information concerning the arrest or detention of United Nations staff members, experts and their families, and to grant the representative of the competent international organization access to them without delay. It

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also urged Member States to allow medical teams to investigate the health of staff members, experts and their families who were being detained, in order to provide them with the necessary medical assistance.

Concerning the United Nations Voluntary Fund for Victims of Torture, the Commission appealed to all Governments, organizations and individuals to respond favourably to requests for contributions to the Fund and requested the Secretary-General to make use of all existing possibilities to assist the Board of Trustees of the Fund.

In a resolution on the question of arbitrary detention, the Commission called on the Working Group on Arbitrary Detention to continue to seek and receive information from Governments and intergovernmental and non-governmental organizations, and invited it to continue to take account of the need to carry out its task with discretion, objectivity and independence.

Regarding the protection of all persons from enforced disappearance, the Commission approved the draft Declaration submitted by the Working Group and recommended a resolution to the Economic and Social Council for adoption which would decide to submit the draft Declaration on the Protection of All Persons from Enforced Disappearance and the report of the Working Group of the Commission on Human Rights (E/CN.4/1992/19/Rev.1) to the General Assembly for consideration.

The Commission, under a resolution on the question of enforced or involuntary disappearances, adopted without a vote, decided to extend by three years the mandate of the Working Group on this matter. It deplored the fact that, as the Working Group pointed out in its report, some Governments had not acted on the recommendations contained in the Group's reports concerning them or replied to the Group's request for information on this issue; and urged all Governments to take legislative or other steps to prevent and punish acts of enforced disappearance.

Concerning human rights in the administration of justice, the Commission stressed the desirability of providing States with continued assistance in the administration of justice; and requested the Subcommission to continue its practice of creating a sessional Working Group on Detention to formulate concrete proposals regarding human rights in the administration of justice. It invited the new Commission on Crime Prevention and Criminal Justice, at its first session, to explore ways and means of cooperating with the human rights programme in the field of the administration of justice.

Self-Determination

With respect to the situation in Cambodia, the Commission welcomed the signature of the Paris Agreements on a comprehensive settlement of the Cambodia conflict and commended all parties and countries which had contributed to the conclusion of the Agreements. The Commission also welcomed the fundamental importance given to human rights in provisions of the settlement. It encouraged the Centre for Human Rights to develop its programme of human rights information throughout Cambodia, in coordination with United Nations Transitional Assistance in Cambodia (UNTAC).

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Through a resolution on the situation in Afghanistan, the Commission called upon all parties concerned to promote and actively search for ways towards a political solution acceptable to the Afghan people and to work for the cessation of hostilities which would enable the Afghan refugees to return voluntarily to their homeland in safety and honour. It also emphasized the need for an early start of the intra-Afghan dialogue for the establishment of a broad-based Government to ensure the broadest support of all segments of the Afghan people.

Under a resolution on Western Sahara, the Commission welcomed the entry into force of the 6 September 1991 cease-fire and endorsed the call by the Security Council upon the two parties to continue to cooperate fully with the Secretary-General in the implementation of his peace plan. It also expressed its full support for his efforts for the organization and supervision of a referendum for self-determination of the people of Western Sahara.

Under a resolution on the use of mercenaries, the Commission reaffirmed that the recruitment, use, financing and training of mercenaries should be considered as offences of grave concern to all States and called upon all States which had not yet done so to consider acceding to or ratifying the International Convention against Recruitment, Use, Financing and Training of Mercenaries, and decided to extend the mandate of the Special Rapporteur on that subject.

Indigenous and Minority Rights

On the rights of persons belonging to national, ethnic, religious and linguistic minorities, the Commission approved the text of the draft declaration on this subject elaborated by its open-ended Working Group. It recommended a draft resolution to the Economic and Social Council under which it would adopt the draft declaration and recommend it to the General Assembly for adoption and further action.

With regard to possible ways and means of facilitating the peaceful and constructive solution of problems involving minorities, the Commission decided to approve the request of the Subcommission on Prevention of Discrimination and Protection of Minorities that the Secretary-General prepare, with the cooperation of the of the Subcommission's Special Rapporteur, the technical meeting of experts on minorities in 1992.

As for the report of the Working Group on Indigenous Populations of the Subcommission, the Commission recommended to the Economic and Social Council that the Working Group be authorized to meet for 10 working days prior to the forty-fourth session of the Subcommission, for the purpose of intensifying its efforts to complete a draft declaration on indigenous rights. It also requested the Secretary-General to transmit the report of the Working Group to Governments, indigenous peoples' and intergovernmental and non-governmental organizations, as soon as possible, for specific comments and suggestions aimed at the clarification, simplification and generalization of the texts contained in the annexes to its report.

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Under a resolution on the International Year for the World's Indigenous People, the Commission welcomed the convening by the Coordinator, from 9 to 11 March, of a technical meeting of agencies, regional commissions and other relevant organizations of the United Nations system with representatives of States, organizations of indigenous people and other non-governmental organizations having a special interest in indigenous matters to identify programme areas, agree on specific objectives, consider existing project guidelines, and suggest appropriate procedures and criteria for the evaluation of projects involving indigenous people, in 1993 and thereafter.

It also proposed to the General Assembly that the title of the International Year be amended to "1993 - The International Year of the World's Indigenous People".

As for economic and social relations between indigenous peoples and States, the Commission recommended to the Economic and Social Council a decision by which the Council would decide to request United Nations bodies and specialized agencies to ensure that all technical assistance financed or provided by them was compatible with international instruments and standards applicable to indigenous peoples.

Concerning the ownership and control of the cultural property of indigenous peoples, the Commission decided to recommend to the Economic and Social Council to endorse the appointment of Erica-Irene Daes as Special Rapporteur to prepare a study of measures which should be taken by the international community to strengthen respect for the cultural property of indigenous peoples.

With regard to the study on treaties, agreements and other constructive arrangements between States and indigenous populations, the Commission endorsed the request of the Subcommission to Miguel Alfonso Martinez to prepare a progress report on treaties, agreements and other constructive arrangements between States and indigenous populations at its tenth session and the Subcommission at its forty-fourth session, and to provide for a second study trip to the Archivo de Indias in Seville, Spain.

Further Human Rights Promotion

In a resolution on regional arrangements for the promotion and protection of human rights, the Commission endorsed the efforts of the Centre for Human Rights to enhance cooperation between the United Nations and regional and national institutions, and stressed the importance of the programme of advisory services in the field of human rights. It also renewed its appeal to all Governments to consider making use of the possibilities offered by the United Nations under this programme of organizing information and training courses for Government personnel.

With respect to the strengthening of the Centre for Human Rights, the Commission emphasized that, in implementing the budget for the biennium

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1992-1993, adequate staffing, temporary assistance and other resources should be allocated to the Centre so as to enable it to respond to its increasing workload and to cover its needs in order to carry out all the functions assigned to it, including all the mandates and the preparations for the World Conference on Human Rights and the Conference itself. It also requested the Secretary-General to take into account, when preparing the budget outline for the biennium 1994-1995, that adequate resources were projected for human rights, in particular for the Centre.

Concerning national institutions for the promotion and protection of human rights, the Commission reaffirmed the importance of developing, in accordance with national legislation, effective national institutions for the promotion and protection of human rights and of ensuring the pluralism of their membership and their independence. It also took note with satisfaction and appreciation of the report of the International Workshop on National Institutions for the Promotion and Protection of Human Rights. It welcomed the guidance provided by the recommendations contained therein, in particular the principles relating to the status of commissions and their advisory role. The Commission decided to rename them the "Principles relating to the status of national institutions" and to transmit them to the General Assembly, through the Economic and Social Council, for adoption.

Concerning the situation of internally displaced persons, the Commission requested the Secretary-General to designate a representative to seek again views and information from all Governments on human rights issues related to internally displaced persons. The Secretary-General was also requested to present a comprehensive study to the Commission at its next session identifying existing laws and mechanisms for the protection of the internally displaced, possible additional measures to strengthen implementation of these laws and mechanisms and alternatives for addressing protection needs not adequately covered by existing instruments.

As for the establishment of an emergency mechanism of the Commission to enable the United Nations to react appropriately and immediately to acute situations arising from gross violations of human rights wherever and whenever they occur, the Commission took note of the proposal for the establishment of such a mechanism and decided in order to enable member States to consider the matter carefully, to resume consideration of it at its forty-ninth session, taking also into account further suggestions that might be submitted on the subject.

Under a resolution on the development of public information activities in the field of human rights, including the World Public Information Campaign for Human Rights, the Commission urged all Member States to include in their educational curricula materials relevant to a comprehensive understanding of human rights issues. It requested the Secretary-General to make provision from the United Nations regular budget for increased resources for activities within the framework of the World Public Information Campaign; and requested the Department of Public Information to make full use of its available resources in the field of human rights to produce audiovisual material on human rights issues that could be used as effective tools of information

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within the framework of the World Public Information Campaign and emphasized the need for the United Nations to harmonize its public information activities in human rights with other organizations.

In a resolution on the strengthening United Nations action in the field of human rights through the promotion of international cooperation, and the importance of non-selectivity, impartiality and objectivity, the Commission expressed its conviction that an impartial and fair approach to human rights contributed to the promotion of international cooperation and to the promotion, protection and effective realization of human rights and fundamental freedoms. It also underlined the continuing need for accurate, impartial and objective information on the political, economic and social situations and events in all countries; and regretted that it has not yet been possible for the Secretary-General to submit recommendations on practical measures to promote international cooperation in the field of human rights as requested by the Commission in its resolution 1991/79 of 6 March 1991.

As to regional arrangements for the promotion and protection of human rights in the Asian and Pacific region, the Commission requested the Secretary-General to ensure a continuing flow of human rights materials to the library of the Economic and Social Commission for Asia and the Pacific; and welcomed the organization of regional workshops on various human rights issues which had been held in that region.

Under a resolution on human rights and thematic procedures, the Commission encouraged Governments to respond expeditiously to requests for information made to them through the procedures, so that the thematic special rapporteurs concerned, the Working Group on Enforced or Involuntary Disappearances and the Working Group on Arbitrary Detention might carry out their mandates effectively; and requested them to include in their reports comments on problems of responsiveness and results of analyses, as appropriate.

Regarding the consequences on the enjoyment of human rights of acts of violence committed by armed groups that spread terror among the population and by drug traffickers, the Commission requested all special rapporteurs and working groups to continue paying particular attention to the adverse effect on the enjoyment of human rights of such acts of violence in their forthcoming reports to the Commission on the situation of human rights in those countries where such acts of violence occurred. It also encouraged non-governmental organizations to bear in mind the adverse effect on the enjoyment of human rights of the acts of violence committed in many countries by armed groups, regardless of their origin.

In action on the strengthening of the rule of law, the Commission recognized the need to consider ways and means by which the United Nations system could make a more positive and significant contribution to the development and strengthening, by Member States, of the rule of law, as an essential factor for the promotion and protection of human rights and fundamental freedoms. It requested the Secretary-General of the 1993 World Conference on Human Rights to take the present resolution into account in the preparation of relevant studies and reports to be submitted to its Preparatory Committee.

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Concerning civil defence forces, the Commission requested the Secretary-General to ask Governments, intergovernmental and non-governmental organizations for information on domestic law and practice relating to civil defence forces, if any, and for comments concerning the relationship between civil defence forces and human rights. It also requested the Special Rapporteurs and working groups concerned to pay due attention within their mandates to the matter of civil defence forces in relation to the protection of human rights and fundamental freedoms.

Advisory Services and Technical Assistance

Regarding the situation of human rights in Haiti, the Commission strongly condemned the overthrow of the constitutionally elected President, Jean-Bertrand Aristide, and the use of violence and military coercion and the subsequent deterioration of the situation of human rights in that country. It expressed its deep concern over the flagrant human rights violations committed under the illegal Government set up following the coup of 29 September 1991, particularly summary executions, arbitrary arrests and detentions, torture, searches without warrant, rape, restrictions on the freedoms of movement, expression, assembly and association, and the repression of popular demonstrations calling for the return of President Aristide.

The Commission requested the Chairman, following consultations with the Bureau, to appoint a Special Rapporteur on Haiti with a view to submitting an interim report to the General Assembly at its forty-seventh session and a report to the Commission at its forty-ninth session.

With respect to assistance to Guatemala in the field of human rights, the Commission recognized the clear commitment of that Government to guarantee the full enjoyment of human rights and fundamental freedoms and encouraged it and the Unidad Revolucionaria Nacional Guatemalteca to continue their negotiations in accordance with the programme and procedures established in the Mexico and Querétaro Agreements and to ensure the full enjoyment of human rights by concluding a specific agreement on that question as early as possible.

The Commission also expressed its profound concern that serious violations of human rights continued to occur despite the efforts of the Government. It exhorted the Government to carry out and further develop legal and institutional reforms designed to put an end to the violence and impunity, and to intensify its efforts to ensure that all its authorities and security forces fully observe human rights and fundamental freedoms. The Commission requested the Secretary-General to continue to provide the Government with advisory services and to extend the mandate of the independent Expert.

Regarding Equatorial Guinea, the Commission deeply deplored the serious deterioration of the human rights situation in the country. It expressed its serious concern at the persistence of politically motivated human rights violations and the systematic use of torture against political prisoners. The Commission expressed its serious concern at the fact that, notwithstanding the

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programme of advisory services offered to the Government, fundamental freedoms were still seriously restricted. The Commission called on the Government to put an end to the use of military courts for trying ordinary legal offences and to permit the establishment of an independent judiciary. It also requested its Chairman to appoint an expert to make a thorough study of the violations of human rights by the Government.

On the matter of advisory services and the Voluntary Fund for Technical Cooperation in the Field of Human Rights, the Commission, referring to activities under the regular budget of the United Nations, invited competent United Nations bodies, such as the committees set up under the International Covenants on Human Rights, the Committee on the Elimination of Racial Discrimination, the Committee against Torture and the Committee on the Rights of the Child to make suggestions and proposals for the implementation of advisory services. It encouraged Governments in need of technical assistance in the field of human rights to avail themselves of the advisory services of experts in the field of human rights.

Human Rights Instruments

By a resolution on the status of the international Covenants on Human Rights, the Commission invited the Secretary-General to intensify systematic efforts to encourage States to become parties to the International Convention on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, and stressed to States parties the importance of avoiding the erosion of human rights by derogation. It also invited the Economic and Social Council to give favourable consideration to the request by the Committee on Economic, Social and Cultural Rights to hold an additional session during the first half of 1993.

Under a resolution on the effective functioning of bodies established pursuant to United Nations human rights instruments, the Commission stressed the continuing need for consultation and exchange of information between all treaty bodies, including the Committee on the Elimination of Discrimination against Women; requested the Secretary-General to give consideration to the proposal endorsed by the meetings of persons chairing the human rights treaty bodies to establish a committee resource room for the purpose of gathering; and requested the General Assembly to mandate the Secretary-General to take the appropriate steps in order to finance the meetings of persons chairing the human rights treaty bodies from the available resources of the regular budget of the United Nations.

Concerning the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Commission urged all member States to consider signing and ratifying or acceding to the Convention as a matter of priority, and expressed the hope that it would enter into force at an early date. It requested the Secretary-General to provide all facilities and assistance necessary for the promotion of the Convention, through the World Public Information Campaign on Human Rights and the programme of advisory services in the field of human rights.

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As for the question of a draft declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms, the Commission decided to continue at its next session its work on the elaboration of the draft declaration. It also recommended a draft resolution to the Council that would have it authorize an open-ended working group of the Commission to meet with a view to completing the second reading of the draft declaration and to submitting the text to the Commission at its next session for adoption.

Fight Against Discrimination

With regard to the implementation of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination, the Commission requested the Secretary-General to finalize the text of the model legislation and the handbook of recourse procedures for victims of racial discrimination. It decided that the topic for 1993 would be "global study on the extent of dissemination of the International Convention on the Elimination of All Forms of Racial Discrimination"; and recommended that the General Assembly take appropriate steps to launch a third decade to combat racism and racial discrimination, to begin in 1993.

Under a resolution on the implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination based on Religion or Belief, the Commission called upon States to take all appropriate measures to combat intolerance and to encourage understanding, tolerance and respect in matters relating to freedom of religion or belief; and to examine the supervision and training of members of law enforcement bodies, civil servants, educators and other public officials to ensure that they respect different religions and beliefs. It also decided to extend for a further three years the mandate of the Special Rapporteur appointed to examine incidents and governmental action inconsistent with the provisions of the Declaration and to recommend remedial measures.

World Conference on Human Rights

Concerning the 1993 World Conference on Human Rights, the Commission welcomed contributions of extrabudgetary resources made to meet the costs of participation of representatives of the least developed countries in the preparatory meetings, including regional meetings, and the willingness of the Italian Government to consider hosting the World Conference.

Children's Rights

As for the programme of action for the prevention of the sale of children, child prostitution and child pornography, the Commission adopted the Programme of Action and recommended to the Committee on the Rights of the Child that it consider the possibility of bearing it in mind in studying the reports submitted by States parties to the Convention on the Rights of the Child. It also recommended that the Special Rapporteur on the sale of children bear in mind the Programme of Action in developing his activities under his mandate.

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As for the draft programme of action for the elimination of the exploitation of child labour, the Commission decided to submit it to the Subcommission on Prevention of Discrimination and Protection of Minorities so that it might make the necessary changes, taking into account the views received by Governments, specialized agencies and intergovernmental and non-governmental organizations.

With respect to the implementation of the Convention on the Rights of the Child, the Commission expressed its satisfaction at the number of States that had signed, ratified or acceded to the Convention and called upon all States that had not done so to sign, ratify or accede to it as a matter of priority.

The Commission welcomed the constructive and useful results achieved by the Committee on the Rights of the Child during its first session and strongly supported the recommendations contained in the report of the Committee, in particular the organization of the future work of the Committee on the basis of two sessions per year, each of two or three weeks duration, and the establishment of a pre-sessional working group for a preliminary review of reports from States parties.

The Commission also recommended a draft resolution to the Economic and Social Council by which that body would request the Secretary-General to make the necessary resources available, within the overall existing budget framework, to enable the Working Group of the Whole of the Committee to meet in 1992 subsequent to the second session.

As for the Special Rapporteur on the sale of children, child pornography and child prostitution, the Commission endorsed the conclusions and recommendations of the Special Rapporteur concerning the strengthening of preventive strategies to tackle the root causes of the sale of children, child prostitution and child pornography. In doing so, the Commission emphasized the importance of ensuring training on children's rights of those who were involved in actions concerning children, in particular the judiciary and law enforcement officials. It also decided to extend the mandate of the Special Rapporteur for a further three years.

Human Rights Subcommission

The following resolutions relate to action taken by the Subcommission on Prevention of Discrimination and Protection of Minorities:

Concerning the work of the Subcommission, the Commission took note of the steps taken so far by the Subcommission to rationalize and streamline its work and encouraged it to continue and to finalize its discussions on the best way to improve the efficiency of the debate, attaching high priority to those efforts, and endorsed the establishment by the Subcommission of an intersessional working group on the rationalization of the work and the agenda of the Subcommission. The resolution was adopted by a show-of-hands vote of 40 in favour to none against, with 11 abstentions.

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On the matter of human rights and disability, the Commission requested the Secretary-General to take the necessary steps to ensure the publication by the United Nations of the final report on human rights and disability and make available the appropriate computer diskettes to those organizations that might wish to reproduce the above report in Braille, large print or on cassette.

With regard to human rights and youth, the Commission recommended that the Economic and Social Council decide to invite the Special Rapporteur, Dimitru Mazilu, to update his report in the light of the suggestions made at the last session of the Subcommission, giving special attention to the problems of underdevelopment, unemployment, children in prison and the right to conscientious objection to military service. It invited Mr. Mazilu to consult governmental and non-governmental organizations in his work with a view to submitting his final report to the Subcommission at its next session.

Concerning the draft programme of action for the prevention of traffic in persons and the exploitation of the prostitution of others, the Commission decided to transmit that text to Governments, specialized agencies, intergovernmental and non-governmental organizations for their comments. It requested the Secretary-General to submit to the Commission's next session a summary of the comments received.

With regard to traditional practices affecting the health of women and children, the Commission approved the recommendation of the Subcommission that the mandate of the Special Rapporteur be extended for two years so as to enable her to submit to its forty-fifth session a plan of action for the elimination of harmful traditional practices affecting the health of women and children. It also decided that the Centre for Human Rights should provide a full-time Professional staff member to follow up the question of traditional practices affecting the health of women and children and to gather data on that subject from Governments, United Nations agencies and regional commissions, non-governmental organizations and other concerned institutions.

As for human rights and the environment, the Commission endorsed the request of the Subcommission to Fatma Zohra Ksentini, Special Rapporteur on that question, to prepare a progress report on human rights and the environment. This decision was adopted by a show-of-hands vote of 50 in favour to 1 against, with 1 abstention.

Concerning the fraudulent enrichment of top State officials, the Commission expressed its conviction that developed countries had a special responsibility to contribute diligently to the restitution to despoiled peoples of the funds which the leaders of those countries had extorted from them. It decided to keep that question in mind when discussing the realization of the economic, social and cultural rights proclaimed in the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights, and requested the Secretary-General to draw the present resolution to the attention of the Commission on Crime Prevention and Criminal Justice. Forty-nine members voted in favour of the text, while 2 abstained.

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On the matter of discrimination against people infected with the human immunodeficiency virus (HIV) or with acquired immunodeficiency syndrome (AIDS), the Commission called upon States to take all the necessary steps to ensure the full enjoyment of civil, political, economic, social and cultural rights by people with HIV or AIDS, their families and those in any way associated with them, and people presumed to be at risk of infection, paying particular attention to women, children and other vulnerable groups, in order to prevent discriminatory action against them or their social stigmatization. It also invited the Human Rights Committee and other similar bodies to give full attention to monitoring States parties' compliance with their commitments under the human rights instruments.

With regard to the study on problems and causes of discrimination against HIV-infected people or people with AIDS, the Commission endorsed the request of the Subcommission to Luis Varela Quiros, Special Rapporteur, to submit his final report to the Subcommission at its next session.

With regard to the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery, the Commission appealed to all Governments, organizations and individuals in a position to do so to contribute to the Fund, if possible on a regular basis. It requested the Secretary-General to appoint a five-person Board of Trustees for the Fund. The Commission also requested him to make use of all existing possibilities to assist the Board of Trustees in its efforts to make the Fund and its humanitarian work better known.

Under a resolution on the report of the Working Group on Contemporary Forms of Slavery, the Commission encouraged the Subcommission to elaborate recommendations on the ways and means of establishing an effective mechanism for the implementation of the Slavery Conventions on the basis of the study prepared by the Secretary-General. It also requested Governments to pursue a policy of information, prevention and rehabilitation of women victims of the exploitation of prostitution and to take the appropriate economic and social measures deemed necessary to that effect.

Rationalization of Commission's Work

The Commission decided to consider the rationalization of its work at its next session and affirmed that such a comprehensive process could only take place through consultations and on the basis of consensus.

Election of Members of Subcommission

The following independent experts were elected to serve in the Subcommission on Prevention of Discrimination and Protection of Minorities: Ahmed Khalifa of Egypt, Fisseha Yimer of Ethiopia, Halima Embarek Warzazi of Morocco, Said Naceur Ramadhane of Tunisia, Muksum-Ul-Hakim of Bangladesh, Ribot Hatano of Japan, Ioan Maxim of Romania, Volodymyr Boutkevitch of Ukraine, Clemencia Forero Ucros of Colombia, Miguel J. Alfonso Martinez of Cuba, Marc Bossuyt of Belgium, Asbjorn Eide of Norway and Linda Chavez of the United States.

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